



# City of Santa Barbara California

III.

## PLANNING COMMISSION STAFF REPORT

**REPORT DATE:** January 5, 2012  
**AGENDA DATE:** January 12, 2012  
**PROJECT ADDRESS:** 822 E Canon Perdido Street (MST2011-00182)

**TO:** Planning Commission  
**FROM:** Planning Division, (805) 564-5470  
Danny Kato, Senior Planner  
Suzanne Riegle, Assistant Planner

### I. PROJECT DESCRIPTION

The project involves the demolition of two existing single-family residences and garages, the merger of two existing parcels (APNs 031-042-006 and 031-042-007) totaling 19,018 net square feet, and a one-lot subdivision for the purposes of constructing 12 affordable (low- and very-low income) condominiums to be constructed by Habitat for Humanity of Southern Santa Barbara County ("Habitat"). The unit mix is comprised of two one-bedroom units ranging from 508 to 705 square feet, eight two-bedroom units ranging in size from 884 to 1,101 square feet, and two 1,340 square foot three-bedroom units. Fifteen parking spaces are provided: 12 attached one-car garages and three guest parking spaces. The project also includes 2,213 cubic yards of grading, including 2,117 cubic yards imported fill. The Habitat project proposes to use the City's Affordable Housing Bonus Density Program to provide four bonus density units.

### II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

- A. A request for a Voluntary Lot Merger to merge two existing parcels (APNs 031-042-006 and 031-042-007) into a single 19,018 square foot parcel.
- B. A Modification to provide less than required 6 foot interior setback for structures and parking (SBMC§ 28.21.060 and 28.92.110).
- C. A Modification to provide less than the 27 required parking spaces (SBMC§ 28.90.100.G and 28.92.110).
- D. A Lot Area Modification to provide less than the required 27,840 square feet of lot area, and to allow four bonus density units (SBMC§28.21.080 and 28.92.110); and
- E. A Tentative Subdivision Map for a one-lot subdivision to create twelve (12) residential condominium units (SBMC 27.07 and 27.13).

**APPLICATION DEEMED COMPLETE:** November 29, 2011  
**DATE ACTION REQUIRED PER MAP ACT:** January 18, 2012

### **III. RECOMMENDATION**

If approved as proposed, the project would conform to the City's Zoning and Building Ordinances and policies of the General Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Planning Commission approve the project, making the findings outlined in Section X of this report, and subject to the conditions of approval in Exhibit A.



### **IV. BACKGROUND**

#### **A. EXISTING ENTITLEMENTS**

The subject properties at 822 and 824 E Canon Perdido Street received two separate land use approvals on November 8, 2006 that remain valid. The Planning Commission and the Staff Hearing Officer had previously held a joint meeting to conceptually review the projects on May 11, 2006. The two-story projects that were approved shared a common driveway and roughly the same footprint. The project was for eight condominium units with a total of 15 parking spaces (13 covered and 2 uncovered). Because the projects were approved separately, guest parking was not required. The previous entitlements for both projects will expire on November 8, 2012. Habitat has since purchased the properties and wishes to construct the twelve-unit project using the City's Bonus Density rules.

#### **B. PLANNING COMMISSION CONCEPT REVIEW**

The Planning Commission reviewed the current project conceptually on June 2, 2011 (meeting minutes attached as Exhibit D). The Commissioners directed Habitat to eliminate the requested front setback modification, explore the relocation of the open space to a centrally located area, provide additional information regarding the on-street parking, consider alternative enforcement of violations in lieu of fines, and consider incorporating carriage style garage doors with windows. Since the concept review, the applicant has made changes to the project to eliminate the modification request for front setback and distance between buildings, and reconfigure the parking and units to comply with accessibility and vehicular maneuvering. The

changes to site plan resulted in a new request of an interior setback modification for an accessible parking space to be located within the interior setback.

## V. SITE INFORMATION AND PROJECT STATISTICS

### A. SITE INFORMATION

<b>Applicant:</b>	DMA DeVicente + Mills Architecture		
<b>Property Owner:</b>	Habitat for Humanity of Southern Santa Barbara County		
<b>Site Information</b>			
<b>Parcel Numbers:</b>	031-042-006 & 031-042-007	<b>Lot Area:</b>	19,018 net sf
<b>General Plan:</b>	Residential 12 units/acre	<b>Zoning:</b>	C-2
<b>Existing Use:</b>	Residential	<b>Topography:</b>	10%
<b>Adjacent Land Uses</b>			
<div><div>North - Commercial</div><div>South - Residential</div><div>East - Commercial</div><div>West - Residential</div></div>			

### B. PROJECT STATISTICS

Unit #	# of Bedrooms	# of Stories	Living Area (net s.f.)	Garage (net s.f.)	Private Outdoor Living Space
1	2	2	884	237	214
2	1	2	705	246	109
3	3	3	1,339	300	219
4	3	3	1,341	311	221
5	2	3	1,101	279	206
6	1	1	508	263	120
7	2	2	999	264	91
8	2	3	1,070	272	203
9	2	3	1,089	272	204
10	2	3	1,090	272	204
11	2	2	956	272	219
12	2	2	979	245	97
Total			12,061	3,233	2,107
Average Unit Size	1,005 s.f.			Proposed Density	27 units/acre

## VI. ISSUES

Staff recommends that the Planning Commission focus on the issues of the lot area modification, bonus density, and parking modification, which are described in detail in this Staff Report.

## VII. POLICY AND ZONING CONSISTENCY ANALYSIS

### A. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
<b>Setbacks</b>			
<b>-Front</b>	10' 1 <sup>st</sup> & 2 <sup>nd</sup> floors* 20' -3 <sup>rd</sup> floors *	18'	10' - Dedication 57' - Dedication
<b>-Interior</b>	6' - 1 <sup>st</sup> & 2 <sup>nd</sup> floors** 10' - 3 <sup>rd</sup> floors ** 3' - Garage or Carport***	5 ½ '	6' 10' 0' - 3' parking*
<b>-Rear</b>	6' - 1 <sup>st</sup> floor 10' - 2 <sup>nd</sup> , 3 <sup>rd</sup> floors 3' - Garage or Carport	34'	13' 13'
<b>Building Height</b>	45'	Single-story	37'6
<b>Parking</b>	12 covered 15 uncovered spaces (24 residential + 3 guest)	1 covered	15 (12 covered residential + 3 uncovered guest)
<b>Lot Area Required for Each Unit (Variable Density)</b>	1-Bdrm = 1,840 s.f. 2-Bdrm = 2,320 s.f. 3-Bdrm = 2,800 s.f.	2,320 s.f.	(2) 1,840 s.f. (8) 2,320 s.f. (2) 2,800 s.f. Total Rqd.: 27,840 s.f.*
<b>Open Yard</b>	2,893 s.f. Includes a 20' x 20' area	> 2,895 s.f.	> 2,893 s.f. Includes a 20' x 20' area
<b>Lot Coverage</b>			
<b>-Building</b>	N/A	To be demolished	7,953 42%
<b>-Paving/Driveway</b>	N/A		5,683 30%
<b>-Landscaping</b>	N/A		5,382 28%

\*Modification requested

With the approval of the Modifications described below, the project would meet the requirements of the R-3/R-4 Multi-Family Zoning Ordinance.

### 1. MODIFICATIONS

#### a. Lot Area Modification for Bonus Density Units (SBMC §28.87.400)

A lot area modification is necessary because the project proposes bonus density units (units in excess of the number allowed by the variable density or standard

density methods), beyond the number specified by State Bonus Density Law. The maximum number of units that could be provided on this lot under the variable density method is a total of 8 two-bedroom units. Therefore, the proposed project is requesting a total of four bonus density units as allowed under SBMC§28.87.400. The project as proposed would require a minimum lot size of 27,840 s.f. using the variable density method as described in SBMC§28.21.080.F. The actual lot size is 19,018 s.f.; therefore, the project as designed would require the approval of a lot area modification. The proposed density of the project is 27 units per acre. The project is proposing 100% of the units to be available to low- and very-low income households and has been determined by Housing and Redevelopment Staff to be consistent with the allowances for bonus density as described in the City's Affordable Housing Program Policies. The project is exempted from inclusionary housing requirements under SBMC§28.43.040 because it is voluntary affordable housing project that is will provide more than 30% of the units to be deed restricted for occupancy by families that qualify as low- or very-low income households.

b. Parking

The parking ordinance (SBMC§ 28.90.100.G) identifies that the parking requirements for residential units are based on the number of units within each building. The building make-up for the proposed project is a duplex, a tri-plex and a seven unit buildings. A duplex requires two covered and two uncovered parking spaces. Ten of the units are contained in two multiple-residential unit buildings containing units with two or more bedrooms and require two parking spaces for each unit for a total of 20 spaces. The parking ordinance further states that when parking is provided for a condominium project at least one parking space must be provided in a carport or garage and allocated to each unit. In addition to the required parking for the proposed units, the parking ordinance identifies a requirement for guest parking. Multi-unit developments that propose six or more units are required to provide a minimum of one guest parking space for every four units for a total of 3 spaces. Therefore, the project as designed will require 12 covered and 15 uncovered parking spaces for a total of 27 parking spaces. The applicant is currently proposing a total of 15 parking spaces consisting of twelve covered parking space and three uncovered guest parking spaces.

Based on review of Institute of Transportation Engineers (ITE) parking demand data, as well as, census data Staff initially supported, providing 1½ spaces per unit in addition to the three guest spaces for a total of 21 parking spaces. At the June 2, 2011 Planning Commission hearing, the Commission generally expressed support for the reduction in parking to one space per residential unit and three guest parking spaces. In addition, the project site is located within walking distance to public transportation on both Milpas Street. The Planning Commission requested additional information regarding the on-street parking supply in the vicinity of the project. A study, prepared by Associated Transportation Engineers dated October 11, 2011 (Exhibit E), found that there is ample on-street parking available.

c. Interior Setback

The project as proposed includes the location of an accessible parking space within the required interior setback. Currently, a “gap” parcel exists between the project site and the adjacent non-residential parcel to the northeast that fronts Milpas Street. The applicant is pursuing obtaining ownership of all or a portion of the adjacent “gap” parcel that currently serves as an additional buffer between the proposed multi-family project and the neighboring non-residential uses. The parking space would have a zero setback and abuts the “gap” parcel. The finished grade of the parking space will be at approximately 3 feet below the surface of the parking lot on the adjacent non-residential property (Taco Bell) that is located on an elevated grade with its parking located towards the common property line. A SCE transformer has been located partially in this interior setback; however, this piece of equipment is allowed to encroach into setbacks.

**2. TENTATIVE SUBDIVISION MAP (SBMC §27.13)**

a. Physical Standards for Condominiums (27.13.060)

In addition to the requirements of the zone, the physical standards for condominiums as described in SBMC §27.13.060 have been met as follows:

- (1) Parking. The off-street parking requirements for a condominium development shall be in accordance with Chapter 28.90.100 of this Code. With the approval of the parking modification, as discussed in VII.A.1.b., the project will meet the zoning ordinance parking requirements.
- (2) Private Storage Space. The requirement for each unit to have at least 300 cubic feet of storage has been waived because each unit will have an enclosed garage
- (3) Separate Utility Metering. All utilities (e.g. gas, electricity, water and sewer.) are metered separately for each unit. Each unit will have access to its own water shut-off valve, electrical panel, and heating without entering another unit.
- (4) Laundry Facilities. A laundry area has been provided in each unit.
- (5) Public Improvement Districts. The requirement that the applicant waive the right, through deed restriction, to protest the formation of public improvement districts, has been included as Condition .
- (6) Density. With the approval of the lot area modification for the bonus density units, the density will be consistent with the zoning ordinance requirements for the zone in which the project is located as discussed in section VII.A.1.a. of this staff report.
- (7) Unit Size. The requirement that the enclosed living or habitable area of each unit shall be not less than 400 square feet is met, as the minimum unit size is 508 s.f.
- (8) Outdoor Living Space. Outdoor living space provided meets the requirements outlined in SBMC §28.21.081.B for the R-3 Zone by providing a minimum of 15% of the lot area (19,018 sf x 15% = 2,853 sf) with at least one location that

meets a minimum of 20' x 20' a majority of the open yard is located at the rear of the project. The project also provides private outdoor living spaces.

- (9) Storage of Recreational Vehicles. The storage of recreational vehicles on site must be determined by the reviewing body at the time of the approval of the project. The Commission is considering a modification of the parking requirements as shown in VII.1.b. above. Therefore staff has included Condition B.3. that states a recreational vehicles shall not be stored on site.

### **3. CANON PERDIDO STREET SETBACK AND SIDEWALK IMPROVEMENTS.**

The project site is subject to the Canon Perdido Street setback as outlined in SBMC§28.83.027. The ordinance describes a 10-foot setback for future street widening. This setback is coincident with the zoning setback, and is measured from the existing front property line. Additionally, the Pedestrian Master Plan (PMP), adopted as part of the General Plan, identifies areas citywide that would benefit from pedestrian improvements. In this case, the project is conditioned to provide the PMP recommended minimum sidewalk zone, including a 6" curb, 4' parkway, 6' sidewalk and 1' 6" frontage zone, for a total of 12'. The frontage zone is considered a buffer between the back of sidewalk and any vertical obstruction, which may be provided on the private property. To meet these recommendations, the applicant has proposed a two foot, nine inch (2' 9"), dedication for the purposes of providing improved circulation and pedestrian access. The dedication of land would change the location of the public right-of-way and the property line from where the zoning setbacks would be measured. Approximately 7' 3" of the Canon Perdido Street Widening Setback, as described in SBMC §28.83.027, will remain, and is subject to development restrictions. The proposed structures are located 12' 9" from the existing property line, therefore, they will not encroach into the required 10' front setback for zoning from the newly created front property line.

### **4. OUTDOOR LIVING SPACE REQUIREMENTS.**

The proposed site planning allows for more than 15% of the lot area to remain as outdoor living space as identified in SBMC§28.21.081.B. The large common open space at the rear of the property provides the required 20 foot by 20 foot minimum area. In addition, to meeting the requirements utilizing the 15% method, Habitat has provided additional private outdoor living spaces (POLS) for each of the units.

## **B. GENERAL PLAN CONSISTENCY**

### **1. LAND USE ELEMENT**

The subject property is located in the Milpas General Plan Neighborhood. The Milpas area is bounded on the north by Canon Perdido Street; on the south by Highway 101; and on the east and west by a line mid-block behind commercial properties along on Milpas Street. Milpas is developed as primarily a strip of commercial uses along both sides of the street, consistent with the General Plan designation of Commercial High Density that allows a range of 12-18 du/acre or 28-36 du/acre if using the Average Unit-Size Density Incentive Program and the associated C-2 zoning. There is a scattering of

residential uses above and behind shops. This area serves not only the residential areas surrounding Milpas Street, but the Eucalyptus and Riviera neighborhoods as well.

The Milpas corridor generally supports neighborhood commercial uses, with two larger shopping centers anchored by Trader Joe's and Scolari's Food and Drug Company. Due to the availability of neighborhood serving uses on Milpas Street, and the close proximity to transit, this area could redevelop to incorporate more residential in mixed use projects to form a unique urban neighborhood. The project site is at the northwestern corner of the Milpas neighborhood adjacent to the Laguna neighborhood. Since such a large amount of the multiple family (R-3) zoned area in the adjacent Laguna neighborhood (to the west) is currently being used for single-family houses, the development potential of Laguna is great. The property is in close proximity to Santa Barbara High School, Santa Barbara Junior High School, and the National Guard Armory.

The project is consistent with several Land Use Element policies: LG5 (Community Benefit Housing), which states that new residential development in multi-family and commercial zones should include affordable housing and open space benefits; and LG6 (Location of Residential Growth), which states that new residential units should be encouraged in multi-family and commercial areas in the City.

## **2. HOUSING ELEMENT**

Santa Barbara has very little vacant or available land for new residential development. Therefore, City housing policies support build out of infill housing units in the City's urban areas. The City's Housing Element encourages construction of a wide range of housing types to meet the needs of various household types. The project would be consistent with the Housing Element as it will contribute eleven additional residential units to the City's existing housing stock. The Planning Commission has recently expressed concern about the large size of proposed condominium units. The mix of units in this project includes two one-bedroom units, eight two-bedroom units, and two three-bedroom units.

### **a. Affordable Housing policies and goals.**

The Housing Element provides several policies and implementation strategies to encourage low-income affordable ownership units. The policies include goals to update and revise ordinances to provide greater opportunities and incentives to develop low-income affordable housing. Policy H11. states that the production of affordable housing units shall be the highest priority and the City will encourage all opportunities to construct new housing units that are affordable to extremely low, very low, low moderate and middle income owners and renters. The project is consistent with a number of Possible Implementation Actions to be Considered, including: H11.5 (Bonus Density), H11.7 (Infill Housing), H11.8 (Opportunity sites), H11.9 (Sweat Equity Projects).

### **3. Consistent with Policy H16, the Habitat project has been designated a priority project and received expedited processing, scheduling on agendas, and if approved, during the**



plan check process, in an effort to assist affordable housing developers to reduce the overall cost associated with the development review process.

#### **4. NOISE ELEMENT**

The City's Master Environmental Assessment indicates that the project site is located in an area exposed to noise levels between 60 to 65 dB(a). The major noise generators affecting the site are along East Canon Perdido Street and Milpas St. Pursuant to the Noise Element, the required private outdoor living spaces for the residential units must not be exposed to a noise level in excess of 60 Ldn, and maximum interior noise levels shall not exceed 45 Ldn. A Noise Study was prepared by David Lord, Ph.D. acoustical consultant at 45dB.com (dated September 30, 2011), which concludes that none of the required private outdoor living spaces would exceed the 60 dB(a) threshold. The consultant did however, make recommendations on the construction for elevations that are adjacent to and facing East Canon Perdido Street with respect to General Building Ventilation, exterior walls thickness, glazed window and doors ratings, kitchen, bathroom, and attic ventilation, exterior intakes for HVAC, and general air tightness of the building (Exhibit F). These recommendations have been incorporated into the conditions of approval.

#### **5. OTHER GENERAL PLAN ELEMENTS**

Staff has reviewed the proposed project for consistency with the recently adopted Plan Santa Barbara (updated General Plan), and found that the project is consistent with the goals and policies outlined in the Open Space, Parks & Recreation, Economy & Fiscal Health, Historic Resources, Environmental Resources, Circulation, and Public Services Elements. The project complies with the City's Storm Water Management policies (ER16), and complies with the noise policies for residential units (ER26.) In addition, the project will be expanded the existing sidewalk width along the property frontage on E. Canon Perdido street and provides ample bicycle parking opportunities for both residences and guests (C1.).

## **II. ENVIRONMENTAL REVIEW**

The Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines) identify types of projects that are generally exempt from CEQA review. The City's Environmental Analyst determined that this project qualifies for a categorical exemption pursuant CEQA Guidelines Section 15332, which provides for infill development projects in urbanized areas that meet the following conditions:

1. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

*As discussed in Section VII. above, the project is consistent with the residential General Plan designation with a density consistent with the City's Density Bonus Program. The project is consistent with the R-3 Zone designation and, with the requested modifications, the project, as conditioned, would be consistent with all applicable zoning regulations.*

2. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

*The project site is with the City boundary, less than five acres in size and surrounded on all sides by residential urban uses.*

3. The project site has no value as habitat for endangered, rare or threatened species.

*The site has been previously disturbed, is surrounded on all sides by urban uses, and holds no value as habitat for endangered, rare or threatened species.*

4. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

*Traffic. The proposed project is not anticipated to distribute new peak hour traffic trips to an impacted intersection and therefore, will not adversely impact traffic.*

*Noise. The project is not expected to result in any significant effects relating to noise. See the noise discussion above in Section VII.B.4.*

*Air Quality. The City of Santa Barbara uses the Santa Barbara County Air Pollution Control District's (APCD) thresholds of significance for air quality impacts. Based on the APCD's Land Use Screening Table contained in the Scope and Content of Air Quality Sections in Environmental Documents updated June 2008, a project of twelve residential condominium units would not be expected to result in significant air quality impacts, since the project is much smaller than those identified in the screening table.*

*The project would involve demolition, grading, paving and landscaping activities, which could result in short term dust-related impacts; however, the applicant would be required to incorporate standard dust control mitigation measures during grading and construction activities. These measures are included as conditions of approval and would further reduce less than significant air quality impacts.*

*Water Quality. The project is not expected to result in any significant adverse effects on water quality. The proposed project includes a stormwater management system to collect and store surface and roof runoff and detain the net difference in runoff for a 25-year storm consistent with the requirements of the City's adopted Storm Water Management Program. In the event of a storm with greater volume, stormwater would surface flow into the storm drain system consistent with current neighborhood drainage patterns.*

5. The site can be adequately served by all required utilities and public services.

*All utilities are existing and available at the site and can be extended to the development. The proposed project would result in an insignificant increase in demand for public services, including police, fire protection, electrical power, natural gas, and water distribution and treatment.*

### **III. DESIGN REVIEW**

This project was reviewed by the ABR on June 27, 2011 (meeting minutes are attached as Exhibit G). The ABR stated that the site planning and overall mass, bulk, and scale is

supportable. The ABR noted that the project is complying with the pedestrian master plan and the parking modification does not have a negative aesthetic impact on the design. The applicant was to refine the project to unify the style, while maintaining individuality of units.

#### **IV. RECOMMENDED CONDITIONS OF APPROVAL**

The staff-recommended Conditions of Approval are attached to this Staff Report as Exhibit A. Of note and discussed below, are conditions related to automobile ownership, construction hours and public improvements.

##### **A. AUTOMOBILE OWNERSHIP**

Twelve covered and fifteen (15) uncovered parking spaces are required per SBMC Subsection 28.90.100.G.3. The proposed project includes twelve single-car garages (one for each unit), necessitating the zoning modification discussed in Section VII.A.1.b. of this staff report. To justify the modification finding that the project will not cause an increase in the demand for parking or loading space in the immediate area, Habitat has proposed to limit automobile ownership to one per household, provide yearly monitor records for automobile ownership, and assess monetary penalties to non-compliant residents. The recommended conditions require Habitat to maintain records of automobile ownership for each unit and produce those records to the City upon request (see Condition B.8.b.). Similar limitations have been applied to one other Habitat project and Housing Authority projects in the past.

##### **B. CONSTRUCTION HOURS**

Habitat for Humanity of Southern Santa Barbara County depends primarily on voluntary construction labor, and requests to perform site preparation and construction activities on Saturdays. While the Municipal Code generally restricts the construction between 8:00 pm and 7:00 am (SBMC 9.16.015), it does not prohibit construction on weekend days or holidays. Projects reviewed by the Staff Hearing Officer and Planning Commission are typically conditioned to restrict construction activities to non-holiday weekdays between 7:00 am and 5:00 pm (see Condition F.3.). In June 2003, the Planning Commission conditioned Habitat's three unit condominium project at 3965 Via Lucero (MST2002-0073) to allow construction between the hours of 9:00 am and 5:00 pm on Saturdays in addition to 8:00 am to 5:00 pm Monday through Friday. The 3965 Via Lucero site vicinity was similar in density to the subject project site, and City has no record of construction-related noise complaints during construction of the Via Lucero project. Staff recommends that the same construction related time allowances be granted to this project as were granted with the Via Lucero project. Similarly in March 2009, the Planning Commission conditioned Habitat's four unit project at 618 San Pascual (MST2008-00059) to allow construction between the hours of 9:00 am and 5:00 pm on Saturdays in addition to 8:00 am to 5:00 pm Monday through Friday. The 618 San Pascual site vicinity was similar in density to the subject project site and City has no record of construction-related noise complaints during construction of the San Pascual project.

#### **V. FINDINGS**

##### **A. LOT AREA MODIFICATION (SBMC §28.92.110)**

As discussed in Section VII.A.1.a. of this staff report, the requested lot area modification for increased density to allow three two-bedroom units and one one-bedroom unit is

consistent with the purposes and intent of the Zoning Ordinance, including the City's Density Bonus Program, and is necessary to construct a housing development affordable to very low- and low-income households. The intent of the City's Density Bonus Program is to provide incentives for development of housing affordable to very-low, low, senior and other qualifying households, and this project provides low income housing.

**B. PARKING MODIFICATION (SBMC §28.92.110 AND §28.90.100.G.)**

As discussed in Section VII.A.1.b. of this staff report, the requested parking modification to allow one covered automobile parking space per unit is consistent with the purposes and intent of the Zoning Ordinance and would not cause an increase in demand for parking or loading space in the immediate area. Automobile ownership will be limited to one automobile per household per Condition B.3.b. Further, bus service is available through MTD Line 2, which stops at the intersection of Milpas and East Canon Perdido Streets. Additionally, sidewalks and bicycle lanes extend to the downtown area and schools along East Canon Perdido Street and to shopping along Milpas Street

**C. INTERIOR SETBACK MODIFICATION (SBMC §28.92.110)**

As discussed in Section VII.A.1.c. of this staff report, the requested interior setback modification for the accessible parking space is consistent with the purposes and intent of the Zoning Ordinance and is necessary to construct a housing development affordable to low-income households. The proposed setback provides adequate separation between the project site and neighboring development. The required six-foot interior setback is intended to provide at least 12 feet between neighboring residential development and 6 feet between residential development and neighboring non-residential development. The distance between the proposed accessible parking space and the existing non-residential parking lot is 8 – 14 feet.

**D. THE TENTATIVE MAP (SBMC §27.07.100)**

As described in Sections VII.A.2 and VII.B. of the Staff Report, the Tentative Subdivision Map is consistent with the General Plan and the Zoning Ordinance of the city of Santa Barbara with the proposed modifications, the project complies with all provisions of the City's Condominium Ordinance including the Physical Standards for Condominiums contained in SBMC §27.13.060. The proposed conditions are consistent with the requirements contained in SBMC §27.13.050.

The site is physically suitable for the proposed development because the compact development site is located with a short walking distance to local grocery, retail, bus lines, bike lanes, schools, and after school programs, the project is consistent with the variable density provisions of the Municipal Code and the General Plan as described in section VII.A.1.a. and VII.B.2., and the proposed use is consistent with the vision for this neighborhood of the General Plan providing 12 new affordable housing units to the housing stock in a compact development in a walkable community. The design of the project will not cause substantial environmental damage because it will be compatible with the existing surrounding development, and there are no environmental resources on this urban site, and associated improvements will not cause serious public health problems because it is

proposed in an already developed neighborhood, and it will be built to conform to the latest building codes.

**E. NEW CONDOMINIUM DEVELOPMENT (SBMC §27.13.080)**

1. There is compliance with all provisions of the City's Condominium Ordinance, as described in Section VII.A.2. of this Staff Report.
2. The project complies with density requirements, and each unit includes laundry facilities, separate utility metering, adequate unit size and storage space, and the required private outdoor living space, as described in Section VII.A.1.a and VII.A.2. of the Staff Report.
3. The project is consistent with policies of the City's General Plan including the Land Use, Housing, and Noise Elements as discussed in Section VII.B. of this staff report dated January 5, 2012. The project will provide infill residential development that is compatible with the surrounding neighborhood.
4. The project can be found consistent with policies of the City's General Plan including the Housing Element, Conservation Element, and Land Use Element. The project will provide infill residential development that is compatible with the surrounding neighborhood, as described in Section VII.B. of the Staff Report.
5. The proposed development is consistent with the principles of sound community planning and will not have an adverse impact upon the neighborhood's aesthetics, parks, streets, traffic, parking and other community facilities and resources, as described in Section VII.B. of the Staff Report.
6. The project is an infill residential project proposed in an area where residential development is a permitted use. The project is adequately served by public streets, will provide adequate parking to meet the demands of the project and will not result in traffic impacts because once the peak hour project related trips are distributed to the City street network, no new impacts are expected at any intersections. The design has been reviewed by the City's design review board, which found the architecture and site design appropriate, as described in Section VII. and VIII. of the Staff Report..

**Exhibits:**

- A. Conditions of Approval
- B. Site Plan
- C. Applicant's letter, dated October 25, 2011
- D. Planning Commission Minutes dated June 2, 2011
- E. Associated Transportation Engineers Report dated November 22, 2011
- F. Noise Study prepared by 45dB.com dated September 30, 2011
- G. ABR Minutes dated June 27, 2011

**PLANNING COMMISSION**  
**CONDITIONS OF APPROVAL**

822 AND 824 E. CANON PERDIDO STREET  
TENTATIVE SUBDIVISION MAP, MODIFICATIONS, & STREET SETBACK VARIANCE  
JANUARY 5, 2012

I. In consideration of the project approval granted by the Planning Commission / Staff Hearing Officer and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:

A. **Order of Development.** In order to accomplish the proposed development, the following steps shall occur in the order identified:

1. Obtain all required design review approvals.
2. Pay Land Development Team Recovery Fee.
3. Make application and obtain a Building Permit (BLD) to demolish any structures / improvements that would conflict with the Final Map. A BLD may also be obtained to demolish non-conflicting structures/improvements and/or perform rough grading. Comply with condition F "Construction Implementation Requirements."
4. Make application and obtain City Council approval of the Final Map and Agreement(s) and record said documents, *by submitting the Final Map to the Public Works counter for review.*
5. Permits following recordation of Final Map.
  - a. Make application and obtain a Building Permit (BLD) for construction of approved development.
  - b. Make application and obtain a Public Works Permit (PBW) for all required public improvements *in association with the BLD permit.*

Details on implementation of these steps are provided throughout the conditions of approval.

B. **Recorded Conditions Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, except a demolition or other appropriate (as determined by City staff) building permit for work in anticipation of primary project improvements the Owner shall execute an *Agreement Relating to Subdivision Map Conditions Imposed on Real Property*, which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder concurrent with the Final Map, and shall include the following:

1. **Approved Development.** The development of the Real Property approved by the Planning Commission on January 12, 2012 is limited to twelve (12) affordable condominium units and the improvements shown on the Tentative Subdivision Map signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara. The project includes the demolition of all existing

structures on two parcels (APN031-042-006 and 031-042-007), the parcels were be merged to create a single 19,303 square foot parcel that will be subdivided to construct 12 new affordable (available to very low- and low-income households) two- and three-story residential condominium units (8 two-bedroom, 2 three-bedroom, and 2 one bedroom units) with 12 single car garages, three guest parking spaces and 18 bicycle parking. Additional changes proposed on site include the installation of an onsite SCE transformer, widening of the sidewalk at the street frontage, and landscaping changes that will include the removal and or relocation of existing trees on site

2. **Uninterrupted Water Flow.** The Owner shall provide for the continuation of any historic uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
3. **Recreational Vehicle Storage Prohibition.** No recreational vehicles, boats, or trailers shall be stored on the Real Property.
4. **Oak Tree Protection.** The existing oak tree(s) shown on the Tentative Subdivision Map shall be preserved, protected, and maintained in accordance with the recommendations contained in the arborist's report / Tree Protection Plan prepared by Joshua Thompson, Tree Concern, dated July 11, 2011. A copy of this report shall be attached to the recorded conditions as an exhibit. The following provisions shall apply to any oak trees to remain on the property:
  - a. No irrigation systems shall be installed within three feet of the drip line of any oak tree.
  - b. The use of herbicides or fertilizer shall be prohibited within the drip line of any oak tree.
5. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices in a functioning state. Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the Owner shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.
6. **Ownership Unit Affordability Restrictions.** The dwelling units designated as Units 1-12 on the Tentative Subdivision Map shall be designated as Affordable Low-Income to Very-Low-Income Units and sold only to households who, at the

time of their purchase, qualify as Low-Income Households as defined in the City's Affordable Housing Policies and Procedures.

The Affordable Units shall be sold and occupied in conformance with City Agreement No. 2010-0071795 and required replacement covenants. The resale prices of the Affordable Units shall be controlled by means of replacement covenants executed by the Owners and the City to assure continued affordability for at least ninety (90) years from the initial sale of each affordable unit. No affordable unit may be rented prior to its initial sale.

7. **Residential Permit Parking Program.** Residents shall not participate in the Residential Permit Parking Program.
8. **Required Private Covenants, Conditions and Restrictions (CC&Rs).** The Owners shall record in the official records of Santa Barbara County either private covenants, conditions and restrictions, a reciprocal easement agreement, or a similar agreement which, among other things, shall provide for the following:
  - a. **Common Area Maintenance.** An express method for the appropriate and regular maintenance of the common areas, common access ways, common utilities and other similar shared or common facilities or improvements of the development, which methodology shall also provide for an appropriate cost-sharing of such regular maintenance among the various owners of the condominium units.
  - b. **Vehicle Registration Restriction.** A covenant that restricts each unit household to ownership of one vehicle and requires yearly monitoring by Habitat for Humanity of Southern Santa Barbara County to ensure no more than one vehicle is registered at each address. Habitat for Humanity of Southern Santa Barbara County shall maintain records of vehicle ownership and produce those records to the City within two working days, upon request.
  - c. **Garages Available for Parking.** A covenant that includes a requirement that all garages be kept open and available for the parking of vehicles owned by the residents of the property in the manner for which the garages were designed and permitted.
  - d. **Guest Parking Spaces.** Three (3) guest parking spaces are to be maintained for the use of guests and not assigned to any of the individual units or used as storage.
  - e. **Landscape Maintenance.** A covenant that provides that the landscaping shown on the approved Landscaping Plan shall be maintained and preserved at all times in accordance with the Plan. Such plan shall not be modified unless prior written approval is obtained from the appropriate design review board. If said landscaping is removed for any reason without approval by the appropriate design review board, the owner is responsible for its immediate replacement.



- f. **Trash and Recycling.** Trash holding areas shall include recycling containers with at least equal capacity as the trash containers, and trash/recycling areas shall be easily accessed by the consumer and the trash hauler. Green waste shall either have containers adequate for the landscaping or be hauled off site by the landscaping maintenance company. If no green waste containers are provided for common interest developments, include an item in the CC&Rs stating that the green waste will be hauled off site.
      - g. **Covenant Enforcement.** A covenant that permits each owner to contractually enforce the terms of the private covenants, reciprocal easement agreement, or similar agreement required by this condition.
- C. **Public Works Submittal Prior to Final Map Approval.** The Owner shall submit the following, or evidence of completion of the following, to the Public Works Department for review and approval, prior to processing the approval of the Final Map and prior to the issuance of any permits for the project (except a demolition or other appropriate, as determined by City staff) permit for work in anticipation of primary project improvements
  - 1. **Final Map.** The Owner shall submit to the Public Works Department for approval, a Final Map prepared by a licensed land surveyor or registered Civil Engineer. The Final Map shall conform to the requirements of the City Survey Control Ordinance.
  - 2. **Dedication(s).** Easements, as shown on the approved Tentative Subdivision Map and described as follows, subject to approval of the easement scope and location by the Public Works Department:
    - a. Offer a 2'-9" wide *Easement for All Street Purposes* along E. Canon Perdido Street property frontage to the City of Santa Barbara in order to establish a four-foot wide parkway behind the curb and a six-foot wide sidewalk.
  - 3. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff prepares said agreement for the Owner's signature.
  - 4. **Required Private Covenants (CC&R's).** The Owner shall submit a copy of the *draft* private covenants, reciprocal easement agreement, or similar private agreements required for the project, concurrently with the Final Map.
  - 5. **Drainage and Water Quality.** The project is required to comply with *Tier 3* of the Storm Water Management Plan (treatment, rate and volume). The Owner shall submit drainage calculations and/ or a hydrology report prepared by a registered civil engineer or licensed architect demonstrating that the new development will comply with the City's Storm Water Management Plan. Project plans for grading, drainage, stormwater facilities and treatment methods, and project development, shall be subject to review and approval by the City Building Division and Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no significant construction-related or long-term effects

from increased runoff, erosion and sedimentation, urban water pollutants (including, but not limited to trash, hydrocarbons, fertilizers, bacteria, etc.), or groundwater pollutants would result from the project.

The Owner shall provide an Operations and Maintenance Procedure Plan (describing replacement schedules for pollution absorbing pillows, etc.) for the operation and use of the storm drain surface pollutant interceptors. The Plan shall be reviewed and approved consistent with the Storm Water Management Plan BMP Guidance Manual.

6. **East Canon Perdido Public Improvements.** The Owner shall submit separate C-1 public improvement plans for construction of improvements along the property frontage on E. Canon Perdido Street prepared by a licensed civil engineer. As determined by the Public Works Department, the improvements shall include the following to City standards: *+/-100 linear feet of 6-foot wide sidewalk, 4-foot wide parkway, supply and install 4 new street trees per approval of the Street Tree Advisory Committee, construct one new driveway apron modified to meet Title 24 requirements with a maximum width of 16 feet, saw-cut & replace any damaged curb and gutter to the nearest joint, crack seal to the centerline of the street along entire subject property frontage, slurry seal a minimum of 20 feet beyond the limits of all trenching, connect to City water and sewer mains, install new residential fire hydrant, public drainage improvements with supporting final hydrology report prior to issuance of any permits, supply and install one residential City standard Dome Style street light (70 watt), coordinate with Public Works Inspector and Edison to retire light standard from existing utility pole in front of adjacent property to the west, preserve and/or reset survey monuments, protect and relocate existing contractor stamps to parkway (if any), supply and install directional/regulatory traffic control signs during construction per the 2006 CA MUTCD, and provide adequate positive drainage from site.* Any work in the public right-of-way requires a Public Works Permit.
  7. **Agreement to Secure Public Improvements.** The Owner shall submit an executed *Agreement for Land Development Improvements* prior to recordation of the Final Map, prepared by the Engineering Division. Owner shall submit an Engineer's Estimate, wet signed, and stamped by a civil engineer registered in the State of California, and shall submit securities for construction of improvements prior to execution of the Agreement.
- D. **Design Review.** The project, including public improvements, is subject to the review and approval of the Architectural Board of Review (ABR). ABR shall not grant project design approval until the following Planning Commission land use conditions have been satisfied.
1. **Parks and Recreation Commission Tree Removal Approval.** Submit to the Planning Division verification of approval from the Parks and Recreation Commission for the removal of all trees located in the public right of way and the residential front setback.

2. **Tree Relocation.** The existing oak tree(s) shall be relocated on the Real Property and shall be fenced and protected during construction as described in the arborist's report / Tree Protection Plan prepared by Joshua Thompson, Tree Concern, dated July 11, 2011
3. **Tree Protection Measures.** The landscape plan (and grading plan) shall include the following tree protection measures:
  - a. **Tree Protection.** All trees not indicated for removal on the approved Tentative Subdivision Map shall be preserved, protected, and maintained, in accordance with the Tree Protection Plan, if required, and/or any related Conditions of Approval.
  - b. **Landscaping Under Trees.** Landscaping under the tree(s) shall be compatible with the preservation of the tree(s), as determined by the ABR.
  - c. **Oak Trees.** The following additional provisions shall apply to existing oak trees on site:
    - (1) No irrigation system shall be installed within three feet of the dripline of any oak tree.
    - (2) Oak trees greater than four inches (4") in diameter at four feet (4') above grade removed as a result of the project shall be replaced at a five to one (5:1) ratio, at a minimum five (5) gallon size, from South Coastal Santa Barbara County Stock.
    - (3) No storage of heavy equipment or materials, or parking shall take place within five (5) feet of the dripline of any oak tree.
    - (4) Oak seedlings and saplings less than four inches (4") at four feet (4') above the ground that are removed during construction shall be transplanted where feasible. If transplantation is not feasible, replacement trees shall be planted at a minimum one to one (1:1) ratio. Replacement trees shall be a minimum of one (1) gallon size derived from South Coastal Santa Barbara County stock.
  - d. **Arborist's Report / Tree Protection Plan.** Include a note on the plans that the recommendations/conditions contained in the arborist's report / Tree Protection Plan prepared by Joshua Thompson, Tree Concern, dated July 11, 2011, shall be implemented.
  - e. **During Construction.**
    - (1) When boxing tree #1, care should be taken as not to harm roots within the critical root zone (CRZ) on the up slope side of the tree. Irrigate the area to supply moisture to the roots and encourage new root growth immediately after move to box, and from box to project.
    - (2) Inoculate all trees with mycorrhizae upon movement to boxes.

- (3) Make all final cuts to pruned roots with hand tools as cleanly as possible.
  - (4) Box sizes should depend upon recorded DBH of the tree to be transplanted at the time of transplant, allowing 10" diameter of root zone for every 1" DBH of tree.
  - (5) Construction work around trees should be monitored by the project arborist, the landscape architect, or the property owner to assure that trees are protected as recommended above. Protection zones are limited and these trees are relatively resilient. However, damage can easily occur due to negligence by workers.
4. **Covered Bicycle Parking.** Provide a weather proof shelter or covering for the bicycle parking spaces located outside.
5. **Pedestrian Pathway.** To improve pedestrian friendliness, a separate pedestrian pathway shall be provided to the accessible units, accessible parking space, and common area at the rear of the property from the sidewalk using a different paving/walkway material.
6. **Screened Backflow Device.** The backflow devices for fire sprinklers, pools, spas, solar panels and/or irrigation systems shall be provided in a location screened from public view or included in the exterior wall of the building, as approved by the ABR.
7. **Project Directory.** A project directory, (including map and parking directional signs) listing all units on-site shall be indicated on the project plans. This directory shall be lit sufficiently for readability for site visitors and placed in a location or locations acceptable to the Fire Department, shall meet current accessibility requirements, and is subject to Design Review Approval.
8. **Trash Enclosure Provision.** A trash enclosure with adequate area for recycling containers (an area that allows for a minimum of 50 percent of the total capacity for recycling containers) shall be provided on the Real Property and screened from view from surrounding properties and the street.

Dumpsters and containers with a capacity of 1.5 cubic yards or more shall not be placed within five (5) feet of combustible walls, openings, or roofs, unless protected with fire sprinklers.

- E. **Requirements Prior to Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following, for review and approval by the Department listed below prior to the issuance of any Permit for the project. Some of these conditions may be waived for demolition or rough grading permits, at the discretion of the department listed. Please note that these conditions are in addition to the standard submittal requirements for each department.

1. **Public Works Department.**

- a. **Approved Public Improvement Plans.** Public Improvement Plans as identified in condition D.6 “E. Canon Perdido Public Improvements” shall be submitted to the Public Works Department for review and approval. Upon acceptance of completed public improvement plans, a Building permit may be issued if the Owner has bonded for public improvements and executed the *Agreement for Land Development Improvements*.
- b. **Haul Routes Require Separate Permit.** Apply for a Public Works Permit to establish the haul route(s) for all construction-related trucks with a gross vehicle weight rating of three tons or more, entering or exiting the site. The Haul Routes shall be approved by the Transportation Manager.
- c. **Construction-Related Truck Trips.** Construction-related truck trips for trucks with a gross vehicle weight rating of three tons or more shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) in order to help reduce truck traffic on adjacent streets and roadways.
- d. **Bicycle Parking.** 16 bicycle parking spaces shall be provided, including 6 covered spaces and 10 racks located in 10 of the garages. Their size and location shall be approved by the Transportation Manager.

2. **Community Development Department.**

- a. **Recordation of Final Map and Agreements.** After City Council approval, the Owner shall provide evidence of recordation of the map and agreements to the Community Development Department prior to issuance of building permits for individual parcels.
- b. **Recorded Affordability Covenant.** Submit to the Planning Division a copy of an affordability control covenant that has been approved as to form and content by the City Attorney and Community Development Director, and recorded in the Office of the County Recorder, which includes the following:
  - (1) **Initial Sale Price Restrictions.** The dwelling units designated as Units 1-12 on the Tentative Subdivision Map shall be designated as Affordable Low-Income Units and sold only to households who, at the time of their purchase, qualify as Low-Income Households as defined in the City’s Affordable Housing Policies and Procedures.
  - (2) **Resale Restrictions.** The Affordable Units shall be sold and occupied in conformance with City Agreement No. 2010-0071795 and required replacement covenants. The resale prices of the Affordable Units shall be controlled by means of a recorded replacement covenant executed by Owner and the City to assure continued affordability for at least ninety (90) years from the initial sale of the affordable unit. No affordable unit may be rented prior to its initial sale.

- (3) The covenant shall require that the Property be owned by a not-for-profit public benefit corporation, and shall include an assignment of rents whereby the owner assigns to the City all rents collected in violation of the covenant. The covenant shall also require the owner to make periodic reports to the City to verify compliance with the covenant.
- c. **Tenant Displacement Assistance Ordinance Compliance.** Submit evidence of compliance with the Tenant Displacement Assistance Ordinance (SBMC Chapter 28.89).
- d. **Contractor and Subcontractor Notification.** The Owner shall notify in writing all contractors and subcontractors of the site rules, restrictions, and Conditions of Approval. Submit a draft copy of the notice to the Planning Division for review and approval.
- e. **Private Driveway Maintenance Agreement.** The Owner shall submit a copy of the draft *Agreement for Shared Maintenance* of the proposed private driveway, or agreement can be included in the Private CC&R's for the Condominium Home Owner's Association. Said Agreement is subject to the review and approval of the Community Development Director and City Attorney,
- f. **Design Review Requirements.** Plans shall show all design, landscape and tree protection elements, as approved by the appropriate design review board and as outlined in Section D "Design Review," and all elements/specifications shall be implemented on-site.
- g. **Conditions on Plans/Signatures.** The final Planning Commission and City Council Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Final Map submitted to Public Works Department for review). A statement shall also be placed on the sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

_____ Property Owner		_____ Date
_____ Contractor	_____ Date	_____ License No.
_____ Architect	_____ Date	_____ License No.
_____ Engineer	_____ Date	_____ License No.

F. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction, including demolition and grading.

1. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) name, contractor(s) telephone number(s), work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing or placed on a fence. It shall not exceed 24 square feet if in a multi-family or commercial zone or six square feet if in a single family zone.
2. **Sandstone Curb Recycling.** Any existing sandstone curb in the public right-of-way that is removed and not reused shall be carefully salvaged and delivered to the City Corporation Annex Yard on Yanonali Street.
3. **Construction Hours.** Construction (including preparation for construction work) shall only be permitted Monday through Friday between the hours of 7:00 a.m. and 5:00 p.m. and Saturdays between the hours of 8:00 a.m. and 5:00 p.m., excluding the following holidays:

New Year's Day	January 1st*
Martin Luther King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th*
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25th*

\*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact Planning Staff to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out said construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.

4. **Construction Storage/Staging.** Construction vehicle/ equipment/ materials storage and staging shall be done on-site. No parking or storage shall be permitted within the public right-of-way, unless specifically permitted by the Transportation Manager with a Public Works permit.
5. **Construction Parking.** During construction, free parking spaces for construction workers shall be provided on-site or off-site in a location subject to the approval of the Transportation Manager.
6. **Unanticipated Archaeological Resources Contractor Notification.** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.



A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to any certificate of occupancy for the project.

G. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:

1. **Repair Damaged Public Improvements.** Repair any public improvements (curbs, gutters, sidewalks, roadways, etc.) or property damaged by construction subject to the review and approval of the Public Works Department per SBMC §22.60.090
2. **Complete Public Improvements.** Public improvements, as shown in the public improvement plans (separate from the building plans), including installation of street trees and street lights, shall be completed.
3. **Ownership Affordability Provisions Approval.** For all dwelling units subject to affordability conditions obtain from the Community Development Director, or Director's designee in the City's Housing Programs Division, written approval of the following: (a) the Marketing Plan as required by the City's Affordable Housing Policies and Procedures; (b) the initial sales prices and terms of sale (including financing); (c) the eligibility of the initial residents; and (d) the recorded affordability control covenants signed by the initial purchasers which assure continued compliance with the affordability conditions.
4. **New Construction Photographs.** Photographs of the new construction, taken from the same locations as those taken of the story poles prior to project approval, shall be taken, attached to 8 ½ x 11" board and submitted to the Planning Division.
5. **Evidence of Private CC&Rs Recordation.** Evidence shall be provided to the Community Development Department, Planning Division that the private CC&Rs required in Section C "Recorded Conditions Agreement" have been recorded.
6. **Evidence of Private Driveway Maintenance Agreement Recordation.** Evidence shall be provided to the Community Development Department, Planning Division that the private *Agreement for Shared Maintenance* required in Section F.2 "Requirements Prior to Permit Issuance" has been recorded, or recorded in the Private CC&R's for the Condominium Homeowner's Association.

H. **General Conditions.**

1. **Prior Conditions.** These conditions shall supersede the conditions identified in Staff Hearing Officer Resolutions 077-06 and 078-06.
2. **Compliance with Requirements.** All requirements of the city of Santa Barbara and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met. This includes, but is not limited to, the Endangered Species Act of 1973 [ESA] and any amendments thereto (16 U.S.C. § 1531 et seq.), the 1979 Air Quality Attainment Plan, and the California Code of Regulations.

3. **Approval Limitations.**

- a. The conditions of this approval supersede all conflicting notations, specifications, dimensions, and the like which may be shown on submitted plans.
- b. All buildings, roadways, parking areas and other features shall be located substantially as shown on the plans approved by the Planning Commission / Staff Hearing Officer.
- c. Any deviations from the project description, approved plans or conditions must be reviewed and approved by the City, in accordance with the Planning Commission Guidelines. Deviations may require changes to the permit and/or further environmental review. Deviations without the above-described approval will constitute a violation of permit approval.

4. **Land Development Team Recovery Fee Required.** The land development team recovery fee (30% of all planning fees, as calculated by staff) shall be paid prior to issuance of any building permit or recordation of the Map, whichever comes first.

5. **Site Maintenance.** The existing site/structure(s) shall be maintained and secured. Any landscaping shall be watered and maintained until demolition occurs.

6. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of being notified of a lawsuit regarding the Project. These commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

**NOTICE OF TENTATIVE SUBDIVISION MAP (INCLUDING NEW CONDOMINIUMS AND CONDOMINIUM CONVERSIONS) TIME LIMITS:**

The Planning Commission / Staff Hearing Officer action approving the Tentative Map shall expire two (2) years from the date of approval. The subdivider may request an extension of this time period in accordance with Santa Barbara Municipal Code §27.07.110.

**NOTICE OF TIME LIMITS FOR PROJECTS WITH MULTIPLE APPROVALS (S.B.M.C. § 28.87.370):**

If multiple discretionary applications are approved for the same project, the expiration date of all discretionary approvals shall correspond with the longest expiration date specified by any of the land use discretionary applications, unless such extension would conflict with state or federal law. The expiration date of all approvals shall be measured from date of the final action of the City on the longest discretionary land use approval related to the application, unless otherwise specified by state or federal law.

FOR THE 1994/1 SITE ACQUISITION STUDY BY DAVID LORD, P.E. OF 4600 THE FOLLOWING DESIGN MITIGATION MEASURES ARE REQUIRED FOR THE UNITS ALONG CANON PERDIDO (UNITS 1, 2, AND 12):

**D A**  
**DEVICENTE + MILLS**  
**ARCHITECTURE**  
301 West 12th Street  
New York, NY 10014  
Tel: 212.255.1111  
Fax: 212.255.1112

822,824 E. Canen Perido  
Cruz, Buenos Aires, Argentina

PROJECT #: 11-HFH

100

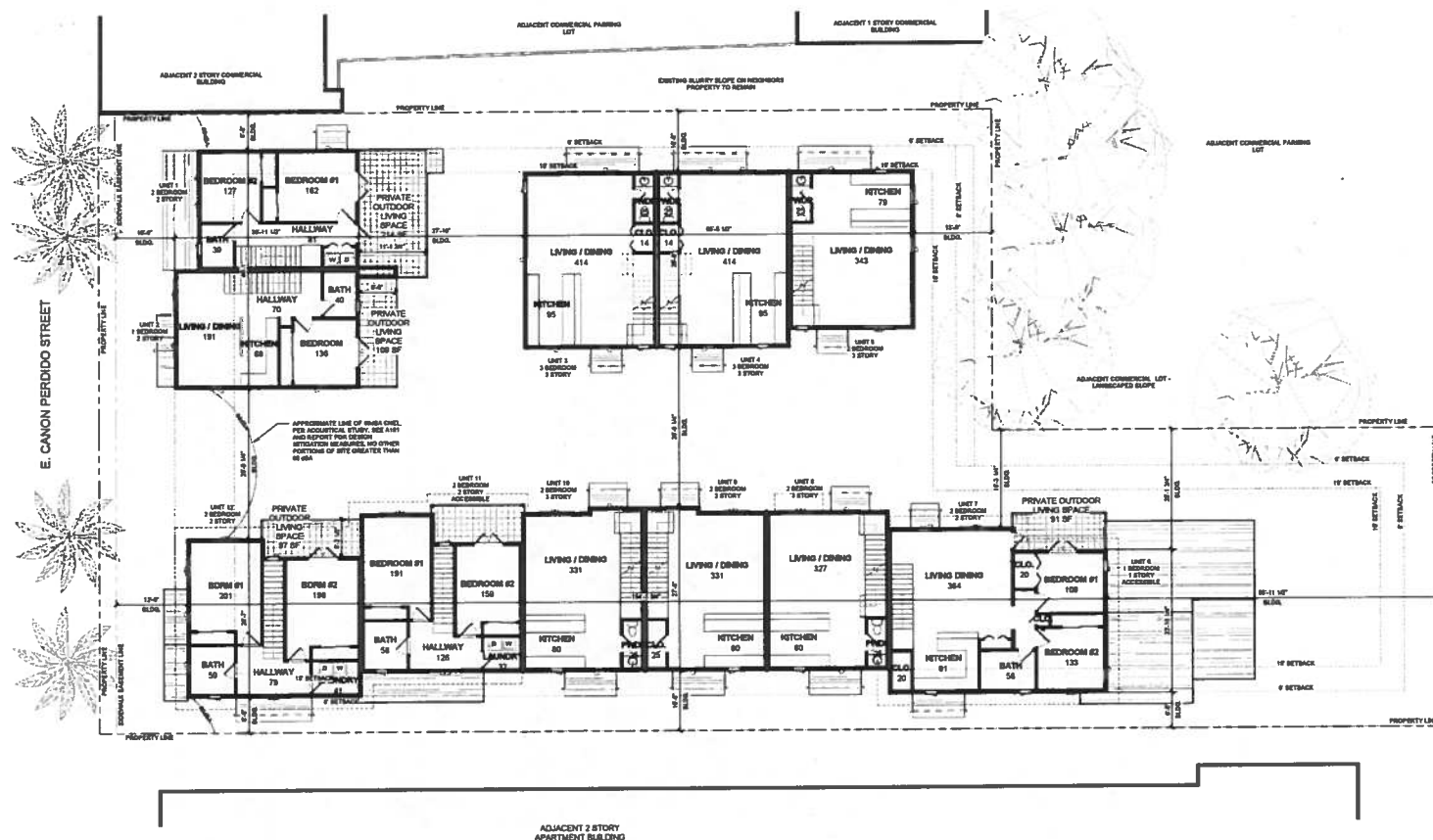
### DEVELOPMENT APPLICATION

### FIRST FLOOR/ SITE PLAN

 $1.5^{\circ} \pm 1.5^{\circ}$ 

**E. CANON PERDIDO STREET**

11/29/2011 8:44:31 AM



# HABITAT FOR HUMANITY CANON PERDIDO CONDOS

22.0M E. Canon Perdido  
Santa Barbara, CA

PROJECT R-114-HPN

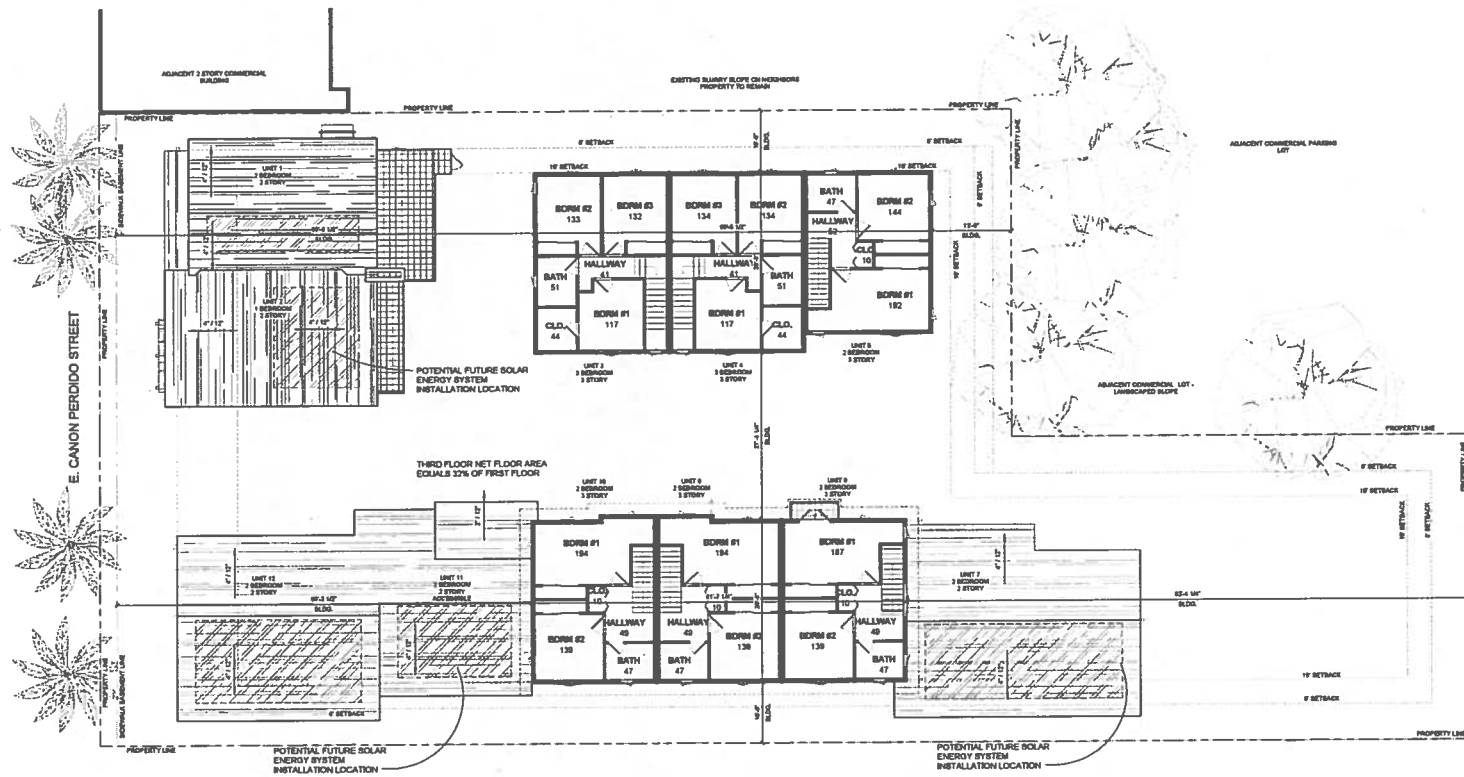
NO.	DESCRIPTION	DATE
1	CHART SUBMITTAL	06.18.11
2	CHART SUBMITTAL #2	10.25.11
3	CHART COMPLETE	11.28.11

DEVELOPMENT APPLICATION

**A102**  
SECOND FLOOR PLAN

1/8" = 1'-0"





**HABITAT FOR HUMANITY CANON PERDIDO CONDOS**

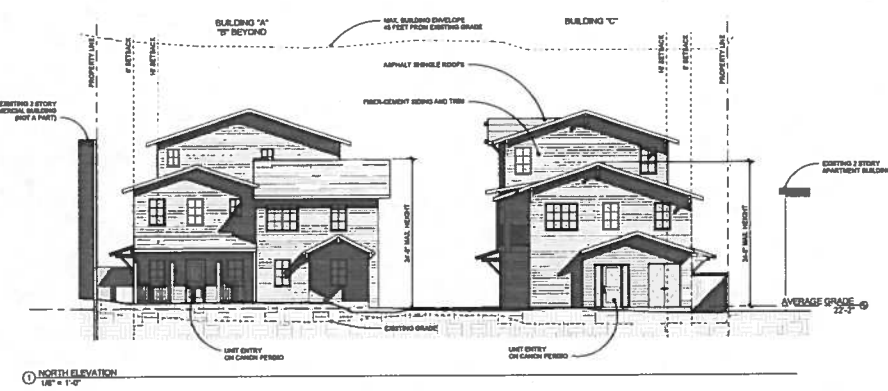
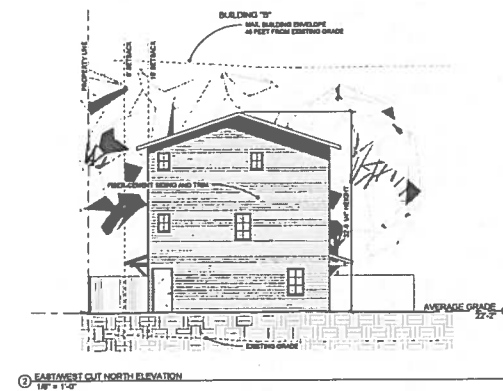
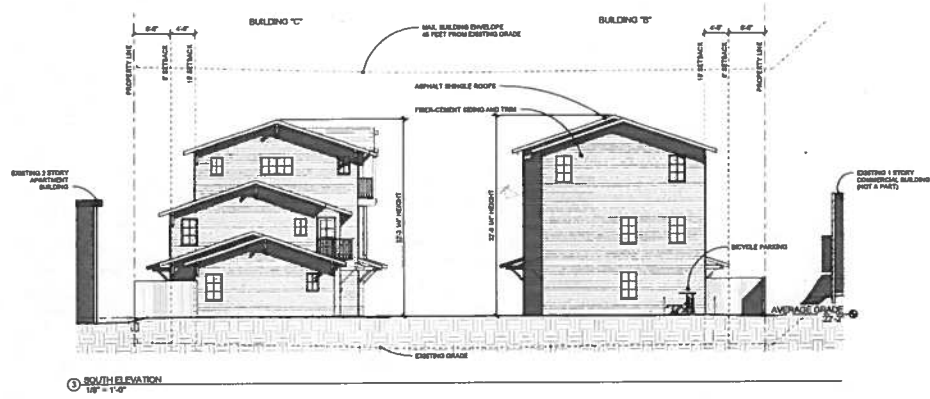
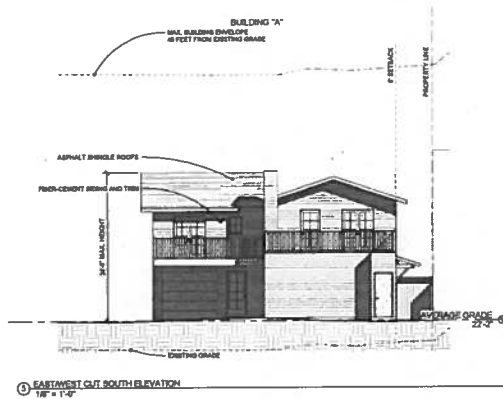
622.6N E. Canon Perdido  
Santa Barbara, CA

PROJECT R-11-HPN

NO.	DESCRIPTION	DATE
1	DART SUBMITTAL	08.18.11
2	DART SUBMITTAL #2	10.24.11
3	DART COMPLETE	11.20.11

DEVELOPMENT APPLICATION

**A103**  
THIRD FLOOR PLAN  
1/8" = 1'-0"



## HABITAT FOR HUMANITY CANON PERDIDO CONDOS

822.824 E. Canon Perdido  
Santa Barbara, CA

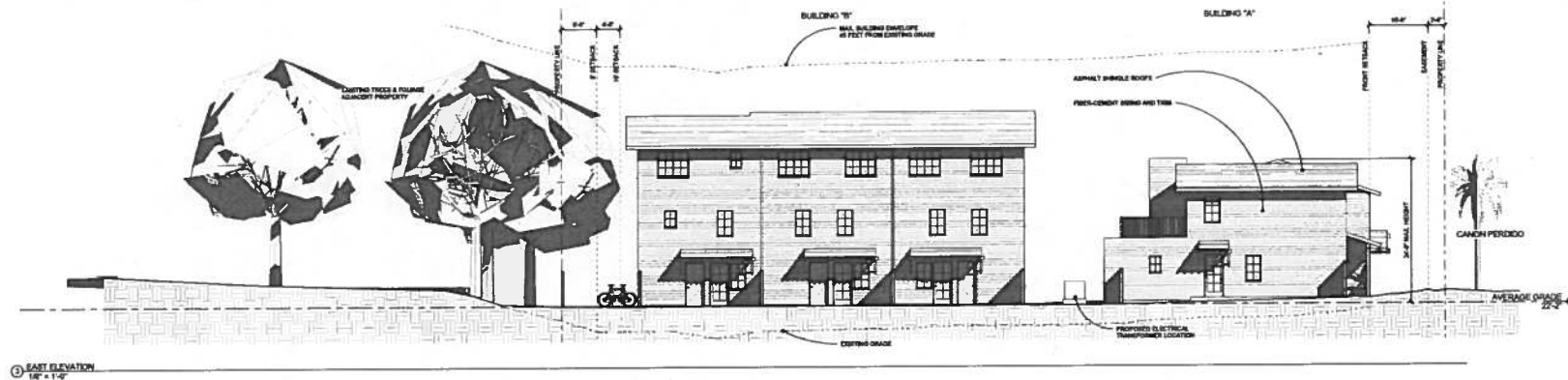
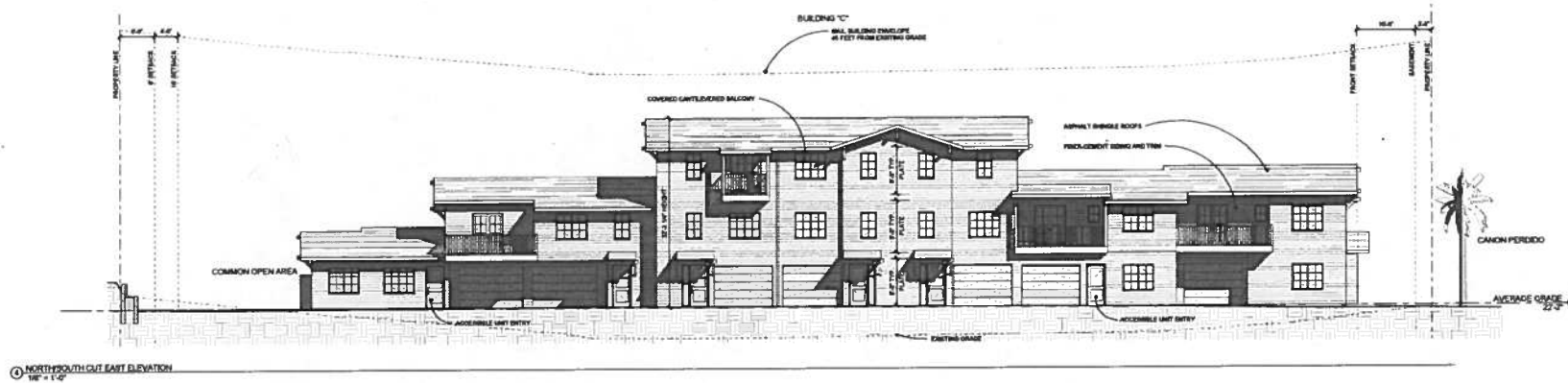
PROJECT #: 114-0PH

NO.	DESCRIPTION	DATE
1	DART SUBMITTAL	08.18.11
2	DART SUBMITTAL #2	10.24.11
3	DART COMPLETE	11.28.11

DEVELOPMENT APPLICATION

**A201**  
EXTERIOR ELEVATIONS

1/8" = 1'-0"



# HABITAT FOR HUMANITY CANON PERDIDO CONDOS

822 E. Canon Perdido  
Santa Barbara, CA

PROJECT # 15-001

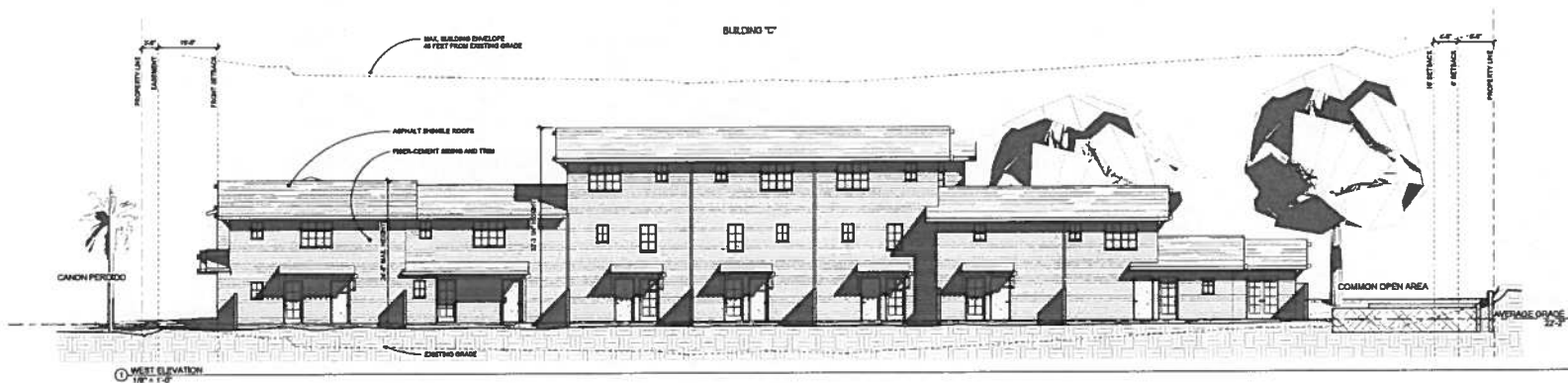
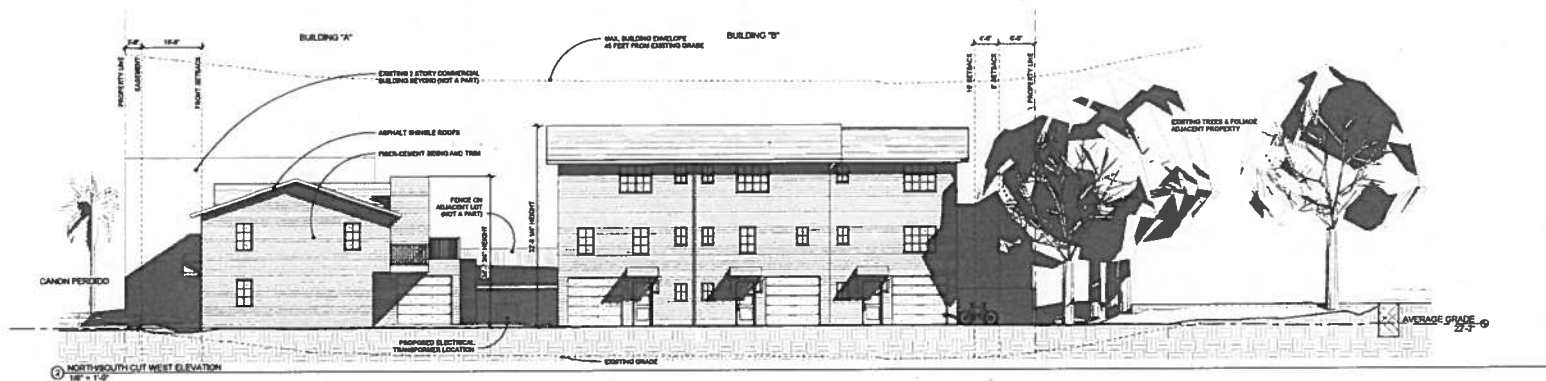
NO.	DESCRIPTION	DATE
1	DAWT SUBMITTAL	08.18.11
2	DAWT SUBMITTAL #2	10.26.11
3	DAWT COMPLETE	11.28.11

DEVELOPMENT APPLICATION

**A202**  
EXTERIOR ELEVATIONS

1/8" = 1'-0"





## HABITAT FOR HUMANITY CANON PERDIDO CONDOS

822.624 E. Canon Perdido  
Santa Barbara, CA

PROJECT # 11-HPH

NO.	DESCRIPTION	DATE
1	DART SUBMITTAL	08.18.11
2	DART SUBMITTAL #2	10.24.11
3	DART COMPLETE	11.29.11

DEVELOPMENT APPLICATION

**A203**  
EXTERIOR ELEVATIONS

1/8" = 1'-0"



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santa barbara, ca 93101  
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October 25, 2011

City of Santa Barbara Planning Division  
Planning Commission  
630 Garden Street  
Santa Barbara, CA 93101

RE: 822,824 East Canon Perdido. New Habitat for Humanity Project

Dear Planning Commissioners,

We are thrilled to formally submit the next Habitat for Humanity Project to you and Staff for DART/ Planning Commission approval. With the assistance of the Santa Barbara Redevelopment Agency, in December 2010 Habitat for Humanity (HFH) secured the parcels at 822 and 824 East Canon Perdido for the next HFH affordable housing project in Southern Santa Barbara County. This location will provide multiple low income/ very low income families the opportunity of home ownership with close proximity to many community amenities and public transportation nearby in the Milpas corridor.

Our team has thoroughly reviewed the planning and street files and pored over the details of the previously approved condominium plans on the parcels. In addition, our meetings with Planning and Transportation staff, Planning Commission Conceptual comments, and ABR Conceptual comments have helped shape our design to be a successful balance of a comfortable, livable, and sustainable condominium project for our future low income homeowners. We look forward to completing our DART application and presenting our project to you for your consideration.

### **Project Description**

The project involves the demolition of two existing residential units with two garages and a 400 square foot carport, and the construction of twelve new residential condominiums on two lots. The lots will be merged, resulting in approximately 19,303 gross square feet (0.454 AC) in the C-2 zone. The project contains 100% affordable low and very-low income units with the following breakdown: two (2) one-bedroom units, eight (8) two-bedroom units, and two (2) three-bedroom units. Parking will be provided in one-car garages attached to each unit with three additional surface guest parking spaces. Modifications are required for parking at less than zoning for a total of 15 spaces on site instead of the required 27 spaces, for bonus density to allow 12 units, and for providing the accessible parking space within the sideyard setback. 6 bicycle parking spaces have been located on the site and additional bicycle parking will be provided in each private garage.

The existing property is lower than its surrounding neighbors and grading fill will be required to manage storm water. Grading will be approximately 48 cubic yards (cy) of cut, 2,165 cy of fill and result in 2,117 cy of import. The project has been designed to meet the City of Santa Barbara, Tier 3 storm water management requirements, utilizing permeable paving over sand and a detention basin. Due to the extensive required grading, the existing vegetation and trees on the property will be removed. The arborist and landscape architect have recommended reusing as many of the trees and plants as can make the transition. This is demonstrated in the preliminary landscape plan.

The project will most likely be "Type V" construction and be optimized for passive heating and cooling to reduce energy needs. We are targeting a Santa Barbara Built Green target of level 4. With the available roof exposures we will maximize PV and Solar thermal systems to achieve a net zero project. Two of the homes will be required to meet CBC chapter 11A for accessible housing, with one unit being single story and fully accessible to meet both State and Federal accessibility standards. Additionally an accessible path from the public sidewalk to the accessible units and the common area activity space has been provided. A fire sprinkler system will be included throughout and will be installed under a separate building permit.

Right of way work will include a sidewalk easement of 2'-9" (285 s.f.) for a new parkway and sidewalk per the City's Pedestrian Master Plan. New water meters and parkway plantings have been coordinated in the parkways. Other required meters and a pad mounted electrical transformer will be placed behind Building A. Trash service will be backyard style with space for cans provided in each garage.

This project will seek Planning Commission approval for:

1. A request for a Voluntary Lot Merger to merge the existing lots into a single 19,303 gross square foot lot as part of the Tentative Subdivision Map approval.
2. A Permanent easement of 285 square foot lot area for parkway/ sidewalk expansion as per the Pedestrian Master Plan.
3. A Tentative Subdivision Map for a one-lot subdivision to create twelve (12) residential condominium units (SBMC§27.07 and 27.13)
4. A modification to provide 15 of the 27 required parking spaces (SBMC§28.90.100.G.3 & 28.92.110.A.1)
5. A Lot area modification to provide less than the required 27,840 square feet of lot area. (SBMC§ 28.21.080.F & 28.92.110.A.2)
6. A modification for the accessible parking space located in the side setback (SBMC 28.21.060.B.3)

Existing and Proposed statistics are as follows:

	822/824 E. Canon Perdido Combined as Existing	Proposed Habitat Project	Required/ Allowed per zoning
Lot Size (s.f.)	19,303 gross/ net	19,303 gross 19,018 net	19,303 gross 19,018 net
Sidewalk easement (s.f.)	0	285	285
Zoning	C-2	C-2	C-2
General Plan Designation	Residential 12 units/AC	27.4	Residential, 12 units/AC
Site Slope	7.5%	3%	N/A
Parking	6	12+3 guest = 15	27
Units	2	12	Variable

			2* 1 Bedroom (1,840) = 3,680 8* 2 Bedroom (2,320) = 18,560 2* 3 Bedroom (2,800) = 5,600 Total = 27,840 s.f.
Lot Area Required (s.f.)		27,840	
Living Area (n.s.f.)	2,073	12,074	N/A
Garage (n.s.f.)	1,060	3,303	N/A
Gross Building area		18,514	N/A
Setbacks - Front (ft)		10	10
Setbacks - Interior (ft)		6 (10 @ 3 stry.)	6
Setbacks - Rear (ft)		13	6
Building Height	29' / 2 Stories	40' / 3 stories	60' / 4 Stories
Open Space (s.f.)	Exceeds	2,225 (11.7%)	1,902 (10%)
Building Type	VB	VB	N/A
Occupancy Group	R3	R2	N/A
Building Footprint (s.f.)	2,700	8,033 (42%)	
Landscaping (s.f.)	11,059	5,683 (30%)	
Paving (s.f.)	5,544	5,302 (28%)	
Total (s.f.)	19,303	19,018	
Grading Cut (cy)	N/A	48	N/A
Grading Fill (cy)	N/A	2,165	N/A
Grading import (cy)	N/A	2,117	N/A

#### Unit net square footages/ bedrooms

	PROPOSED (NET) SQ. FT.	LIVING AREA	GARAGE	P.O.L.S.	LEVEL
UNIT 1	2 STORY / 2 BEDROOM	884	237	214	2 <sup>ND</sup>
UNIT 2	2 STORY / 1 BEDROOM	705	246	109	2 <sup>ND</sup>
UNIT 3	3 STORY / 3 BEDROOM	1,339	300	219	1 <sup>ST</sup>
UNIT 4	3 STORY / 3 BEDROOM	1,341	311	221	1 <sup>ST</sup>
UNIT 5	3 STORY / 2 BEDROOM	1,101	279	206	1 <sup>ST</sup>
UNIT 6	1 STORY / 1 BEDROOM	514	326	120	1 <sup>ST</sup>
UNIT 7	2 STORY / 2 BEDROOM	1,006	271	84	2 <sup>ND</sup>
UNIT 8	3 STORY / 2 BEDROOM	1,070	272	203	1 <sup>ST</sup>
UNIT 9	3 STORY / 2 BEDROOM	1,089	272	204	1 <sup>ST</sup>
UNIT 10	3 STORY / 2 BEDROOM	1,090	272	204	1 <sup>ST</sup>
UNIT 11	2 STORY / 2 BEDROOM	956	272	219	1 <sup>ST</sup>
UNIT 12	2 STORY / 2 BEDROOM	979	245	97	2 <sup>ND</sup>
TOTAL		12,074	3,303		

The project has received feedback from the City of Santa Barbara at the following milestones:

1. 9/14/11 DART – 1<sup>st</sup> submittal "Incomplete" determination
2. 6/27/11 Presented to the Architectural Board of Review for Concept review
3. 6/2/11 Presented to the Planning Commission for Concept review
4. 5/17/11 Received a PRT review letter

In this letter we will address how we have responded to the raised comments/ concerns of each milestone review.

**9/14/11 DART – 1<sup>st</sup> submittal**

In response to the DART 1<sup>st</sup> submittal "incomplete" determination we have updated the project design and made the following changes:

- Flipped Building B to provide more back out space for the HCAP parking space.
- Unit 6 redesigned to a single story fully accessible 1 bedroom unit
- As a result of the Unit 6 redesign, Unit 7 was reconfigured from a 3 story unit to a 2 story unit partially located over Unit 6. This reduced project massing and the amount of square footage on the third floor of building "C".
- Unit 11 redesigned as the second accessible unit and the design has been modified as per the California Building code requirements.
- Units 5,8,9,10 reduced a foot in depth except at the entries of 9 and 10 to provide additional parking maneuvering.
- Some garage doors widened for additional parking maneuvering.
- Some planters reduced for additional parking maneuvering.
- Relocated the transformer from the front setback to between Buildings A and B and changed the material of the adjacent parking space to concrete for transformer maintenance/ replacement per SCE request.
- Removed bicycle parking at front of building C
- On-site bicycle parking relocated to behind building B and additional spaces identified within each private garage.
- Sidewalk transition changed per Engineering Division comments.

More specifically our responses to the raised issues are as follows:

V.A.1 – The bicycle parking previously located in the front setback and other bicycle parking has been consolidated and relocated behind building "B" outside of the setbacks. No additional modification required.

V.A.2 – The Southern California Edison (SCE) required transformer has been relocated out of the Setback Variance area. The new location is between buildings "A" and "B" 3 feet from the north property line. We are providing a concrete pad at the parking space in front of the transformer as a location for their Heavy vehicle to park and maintain the service equipment.

V.A.3 – Please find the attached evidence of noticing attached.

V.A.4 – We will be proceeding with "B" track and our public infrastructure will be constructed after the recordation of the Final Map.

V.A.5 – Please find the attached new noise study by David Lord, PH.D. dated 9/20/11. No private outdoor open spaces are impacted any areas of 60 dBA or greater. The three units on Canon Perdido (1, 2, and 12) do require design mitigation measures and we have added those to sheet A101 and A102

V.A.6 – A copy of the 9/14/11 DART letter #1 is attached and this letter responds to each raised issue.

V.A.7 – The revisions to the project design are listed in the introduction of this section. Most changes were related to revising unit 6 to become a single story accessible unit (per Federal regulations), improvements to parking maneuvering, and relocation of the pad mounted electrical transformer. The changes did not result in a revised application except to add the sideyard setback modification for the accessible parking location, which is the same location as previously submitted.

V.B.1 – Tentative map wet signed as requested

V.B.2 – Note modified per requirement

V.B.3 – Location of new street light shown at SW corner of site and annotated

V.B.4 – Note revised

V.B.5 – Easement width adjusted

V.B.6 – Revised copies of TM-1 included in drawing submittal

V.C.1 – See C200 for nearest hydrant location (in front of neighbor to the south) Note, 7. Hydrant information placed on C200 plan. Hydrant meets requirements.

V.C.2 – Note for sprinkler system under separate permit located on G001 in the project scope description.

V.D.1 – Sidewalk transitions modified as requested.

V.D.2 – Parking maneuvering utilized many of staff recommendations to improve parking maneuvering including reducing planters, pulling back the face of garage, widening garage doors and flipping units 3 and 5 to provide more backout area for the accessible parking space. Plan has been reviewed and approved by Chelsea Swanson.

V.D.3 – Interior garage widths added to A101

V.E.1 – The walkway along building “C” is an accessible walk from the back of sidewalk to the accessible parking space and common area. It connects to the accessible units (6 and 11) as well. The accessible walkway has a flush curb to the driveway with a visual change to the hardscape, but no barriers. CBC section 1133B.8.5 does not apply to this project as it is intended for Commercial applications. No similar section exists in Chapter 11A and we would concede that this is a gray issue with jurisdictions taking different views of this issue; it is even unclear at a Federal level. It would be impractical to use a curb to separate the uses as the cuts required at each garage would be infeasible and the parking maneuvering would be negatively affected. The walk and driveway are designed as a shared space for both vehicles and pedestrians. This type of shared relationship exists in many locations where vehicle speeds are slow (5mph), numerous examples are in recently built projects.

Further, the overuse of detectable warnings has been cautioned by PROWAG in their 2005 report that detectable warnings should be used at dangerous pedestrian/ vehicular interfaces such as at boarding platforms and crosswalks. Locations such as driveway crossings along sidewalks should be avoided as this would reduce the hazardous emphasis detectable warnings provide. It is our interpretation that for this projects shared walk, the use of detectable warnings per 1133B.8.5 is contrary to the intent of their use, and no hazardous vehicular relationship exists.

In either case the issue is a complicated issue that can be resolved in the building permit process and should not result in any major project design changes. As such the project should be allowed to proceed with the Planning Commission review process and minor design changes related to this can be worked through in permitting.

Additional responses:

VII.A.2 – Please find the attached tree removal letter from Tim Downey dated 9/20/11 administratively approving the removal of the trees in the front yard setback.

VII.A.3 – See A103, and A104 for designated “Potential solar installation locations”

VII.A.4 – Project statistics on G001 revised per requested format.

VII.B.2-4 – Project redesigned to not require Setback Variance

VII.C.1 – Bicycle parking locations consolidated and relocated behind building “B”. We will utilize the standard “hoop” rack and spacing as coordinated with Chelsey Swanson and provide 6 spaces on site. Additionally we have designated a bicycle parking location in each garage, a solution that was successful on the Habitat project on San Pascual.

VII.C.2-3 – Please find the attached neighborhood parking study dated 10/11/11 by ATE. The study shows ample parking availability at 11pm when residents are home.

#### **6/27/11 Architectural Board of Review (ABR) Concept**

The ABR approved the following motion: Continued indefinitely to the Full Board with the following comments:

1. The site planning and overall mass, bulk, and scale is supportable. Show the locations of existing significant trees and adjacent canopy trees and buildings that surround the site.
2. Provide a preliminary landscape plan.

3. The modification for parking does not have negative aesthetic impacts.
4. The project will respect the pedestrian master plan.
5. Refine the architecture to unify the style overall while maintaining individuality of units.

In response to the ABR comments:

1. The site planning and overall mass bulk and scale is consistent with what was presented to the ABR and has not changed significantly. With the most recent design changes for DART 2 the redesign to units 6 and 7 have reduced a story at the rear portion of the site. Additionally we have completed a tree survey on the property and included an attached tree assessment and protection plan prepared by Joshua Thompson of Tree Concern dated July 11th. Additionally the recommendations are shown in a Tree protection plan prepared by the Office of Katie O'Reilly Rogers sheet L-2 of our drawing set. Adjacent buildings and canopy trees have been added to the site plan and building elevations for context.
2. A preliminary landscape plan has been prepared by the Office of Katie O'Reilly Rogers and is included as sheet L-1 of our drawing set.
3. Agreed
4. The site plan incorporates the recommended pedestrian master plan layout as discussed with Transportation staff.
5. The architecture has been revised to address the Board's comment.

#### **6/2/11 Planning Commission (PC) Concept review**

The Planning Commission provided the following comments on the project:

1. The majority of the Commission felt that the affordability covenants should be a part of the Conditions of Approval. Commissioner Jordan added that the local resident purchase requirement should be included as a part of the Conditions of Approval, and not just a part of the Applicant's policy.
2. Commissioners Jacobs and Larson suggested a Solar Study be conducted on the West side of the property. Staff responded that under the Solar Access Ordinance, this project did not require a study, but had one been required, it would have been limited to the east side of the property line where there is more sun.
3. Many Commissioners expressed a desire to learn more about the project's impact on the on-street parking and felt that the neighborhood could not support any increase in on-street parking. Commissioner Jordan suggested that parking management condition of approval consider alternatives to enforcement that were not fee related. Also, suggested that guest parking be moved up front.
4. Commissioner Bartlet suggested consideration of carriage-style garage doors with window panes to allow monitoring that garage use was for parking and not alternative uses.
5. Commissioners held varied opinions on the location of the playground, with some suggesting consideration of alternatives, such as a center location.
6. The commission expressed support for the Pedestrian Master Plan improvements; however, many commissioners did not support the front setback modification that would be created by a dedication for the improvements. Direction was given to the applicant to provide the minimum required front setback; which could be achieved by reducing unit sizes, particularly the two-bedroom units.
7. Some Commissioners suggested that the project height be reduced and cell tower locations of the neighboring property be considered.
8. Commissioners Larson and Schwartz expressed appreciation for the sustainability efforts made by the Applicant. Commissioner Larson recommended that hard surfaces be pervious paving and suggested consideration for bicycle parking and a trash plan.
9. A majority of the planning commission could support the modification for Lot Area to allow bonus density units, parking and building separation; but could not support the front setback modification.

In response to the PC comments:

1. At the time of purchase, because the acquisition was accomplished with RDA funding, an interim covenant was recorded against the property to ensure that the homes will be sold to qualified low- and very-low income purchasers. At the time of first sale, an affordability covenant prepared by the City of Santa Barbara will be recorded and secured with a Deed of Trust that specifies the conditions for resale of the property. These covenants run with the land and remain in force for ninety (90) years. A copy of the interim covenant is included with the application.
2. No solar study required as staff clarified, no further action required.
3. With regard to the parking management condition of approval, Habitat advises its applicants that selected families will only be allowed one car to be registered at their home address. From the time of the initial orientation, through the family training curriculum and close of escrow, this point is stressed. Once the homes are sold, ownership of cars registered by the homeowners is closely monitored by the homeowners' association, which in turn is monitored by Habitat advisors. Since City ordinances for low-income rental housing provide for one car per household, we believe that the safeguards put in place by Habitat ensure that homeowners will comply with this requirement in a similar fashion to rental housing requirements. Site configurations with grouped guest parking as well as a center location for the playground were studied, but did not result in a successful layout and configuration. The plan presented to PC was also presented to ABR and as noted above site planning (and the resulting massing) was supported by the ABR.
4. The recommendation of using garage doors with windows was raised as a means of ensuring that garages be used for cars, not storage. The CC&Rs stipulate that garages must be kept used for parking cars only, and the homeowners' association will monitor this usage carefully. The style of door selected by Habitat will largely depend on price and value, and will coordinate with the overall design approved by the City.
5. See response to item 3 above.
6. As per ABR response #4 above, we have incorporated the recommend layout of the PMP by transportation and shifted the buildings to eliminate the request for a front modification request.
7. The building heights were studied and while the most successful design is as previously proposed, we have changed the cathedral ceilings on the upper floors to trussed ceilings. Additionally we have maintained a maximum height of two stories at the two homes (1&2) nearest the neighboring cell tower.
8. The project will incorporate as many sustainable features as feasible. Utilizing the Passive House planning package we will optimize the building designs for energy efficiency. The site has been designed to meet and exceed the City of Santa Barbara Tier 3 Storm Water Management requirements for projects of this type by utilizing permeable paving and sand filtration/ detention system. Bicycle parking has been consolidated to one location for 6 spaces behind building "B".
9. We appreciate the Commissions support for the lot area and parking modifications. The design has been revised to only request modifications for Lot area, parking count, and accessible parking encroachment to side setback as noted above.

#### **5/17/11 PRT Letter**

Our response to the raised comments and issues in the PRT letter are as follows:

- II.A.1 – The project was presented to the PC and received support for the overall project density.
- II.A.2 – Completed 6/2/11 as per above
- II.A.3 – Please find the attached TDAO confirmation letters
- II.A.4 – No further action necessary



II.A.5 – The proposed site design accommodates the Pedestrian Master Plan recommendations per Transportation and the front buildings have been moved to not require a modification. A public access easement is proposed as per the Tentative Map

II.A.6 – Tree removal and relocation plan has been prepared and is part of our submittal. One oak tree is located in the front setback and is proposed to be relocated in the project. This has been presented to Tim Downey, City of SB Urban forest superintendent and he provided an administrative Tree removal approval letter attached.

II.A.7 – The project will comply with the tier 3 requirements of the City's Storm Water Management Plan. The existing site is predominately covered with paved surfaces, buildings and gravel areas that sheet flow to an existing catch basin, ultimately discharging the storm water into the city storm drain system unfiltered. The proposed project will incorporate pervious pavement and biofiltration devices that will filter the water prior to storing it in an underground storm water detention system, ultimately discharging filtered water from the site. Additionally the roof drain downspouts will flow to finished surface as opposed to being connected to the storm drain system.

II.A.8 – Roof forms have been designed to optimize solar PV and thermal opportunities. Roof plan shows potential location of rooftop solar systems, and our goal is to utilize these spaces to achieve a "net zero" project

II.B.1 - No further action necessary

II.B.2 – See Civil Utility plan for proposed water service as discussed with Victoria Johnson

II.B.3 - The city engineering department has confirmed the request to have this street light replaced, however the existing light is located in front of the property adjacent to the subject site. We propose to remove the pole mounted light and provide a new city standard street light as per C200

II.B.4 – See II.A.5 above.

II.C.1 – Fire Closets and backflow locations shown in proposed design. Actual sprinkler design will be prepared under a separate permit as indicated on G001 in the project scope description.

II.D.1 - The project was presented to the PC and received support for the requested parking modification.

II.D.2 - The site plan incorporates the recommended Pedestrian Master Plan layout as discussed with transportation.

II.D.3 – We have worked directly with Chelsea Swanson of Transportation to review the specific maneuvering for the project and received conceptual approval.

II.D.4 - Bicycle parking has been consolidated to one location for 6 spaces behind building "B".

II.E.1 - See Civil Utility Plan for proposed undergrounding of utilities.

II.E.2 - A soils report will be prepared for the Building and Safety permit application.

II.E.3 – Based on the requirements of California Building Code Chapter 11A, the project will require 2 accessible units (11 and 6) in the long building. Further we have designed all common areas to be accessible from the public right of way to the common areas and accessible parking space.

III.A – See above Project Description for requested applications

III.B.1 – Noted

III.B.2 – Final Map will be submitted after PC approval.

III.B.3 – New addressing with US Postal Service written confirmation will be submitted concurrently with Final Map .

III.B.4 – Noted

III.B.5 – Please find the attached preliminary title report as previously submitted.

III.B.6 – Noted

III.B.7 - The engineers estimate regarding public improvements will be prepared based on the public improvements conditioned to the project. The project applicant will address the bonding and security requirements per the City policies at the time the developers agreement is prepared.

III.B.8 – Noted

III.B.9a - Private CC&Rs for the development will be prepared and approved by the CA Department of Real Estate prior to the sale of any unit(s), and will include agreements for all commonly shared

features including but not limited to shared sewer laterals, driveway maintenance, storm drain system, and a long term plan for handling solid waste and recycling.

III.B.9b – Trash/ Recycle service has been discussed with Marborg and Thomas Oretsky. Based on feedback from both, we propose that the trash and recycling be located in each Units garage. Marborg will provide backyard service (residents place cans in front of their unit for pickup) when 33 gallon maximum sized cans are used.

III.B.10 – County notice for pre-payment of property taxes and required statement are noted.

III.C.1 – Noted

IV.A.1 – Application letter revised as requested

IV.A.2 – See tentative map for sidewalk easement

IV.A.3 - See revised Lot Area calculations for gross and net lot areas

IV.A.4 – Lot coverage statistics provided on coversheet as requested.

IV.A.5 – Setbacks and floor area calculations provided on site plan sheet, showing the seven unit building complying with the 50% for reduced setbacks, (32% PROPOSED)

IV.A.6 – See site plan for identified Canon Perdido Street widening setback.

IV.A.7 – See cover sheet for open space requirements and floor plans for proposed locations and sizes

IV.A.8 - The project was presented to the PC and received support for the requested parking modification of 1 per unit and providing the required 3 guest spaces, (total of 15).

IV.A.9 – The buildings have been redesigned to be separated by at least 15 feet. No modification request required.

IV.A.10 – The project as proposed exceeds the density allowed by the variable density method and requires a lot area modification for 4 of the 12 units as bonus density.

IV.A.11 – See the floor plans and utility plans for conformance to the Residential Condo standards.

IV.A.12 – See cover sheet and civil drawings for grading plan and proposed cut/ fill and import/export quantities.

IV.A.13 – A preliminary landscape plan (L-1) and tree removal/ protection (L-2) plan has been submitted as part of this application. See comment to II.A.6 above regarding Street Tree committee and Parks and Rec approval.

IV.A.14 –Preliminary landscape plans show all fences and call out heights.

IV.B.1 - A preliminary hydrology report has been prepared for this project. The requested information is included. Retention of storm flows on site may not be possible due to existing hydrologic soil conditions (site falls in Hydrologic Soil Group D) and the presence of ground water. A geotechnical engineer will prepare percolation tests and if the site does not meet acceptable standards, the City engineering department has preliminary agreed to allow the project to discharge filtered storm water.

IV.B.2 - Based on preliminary hydrology calculations, the proposed site will slightly decrease the projected site run-off due to the change in materials from existing impervious surfaces to proposed pervious pavers and planter areas constructed with engineered fill. The proposed site will capture and filter required storm flows prior to release to the city storm drain system.

IV.C.1 – Tentative Map submitted as part of this application

IV.C.2 – PTR submitted as part of this application

IV.C.3 – Civil utility plan submitted as part of this application

IV.C.4 –The final map will be recorded at the time permits are approved.

IV.C.5 - The site includes two existing sewer laterals. The project proposes to reconnect to one of the existing laterals, pending inspection per the SLIP requirements.

IV.C.6 – See response to III.B.9b above regarding trash/ recycle service

IV.D.1 – See proposed civil plans

IV.D.2 – Site plan revised to show ground floor and interior dimensions/ garage door widths.

IV.D.3 – See landscape plan for planters. "driveable" hardscape material identified in site plan

IV.D.4 – Note regarding signs for guest parking provided

IV.D.5 – See civil grading/drainage plan for driveway slopes.

IV.D.6 – Materials and heights and materials for fences, walls, and hedges along the front property line and adjacent to driveway called out on L-1 sheet

IV.E.1 and 2 – See response to II.E.2 and 3 above

### **Project Background**

Habitat for Humanity of South Santa Barbara County is a nonprofit, nondenominational housing organization, whose mission is to build simple, decent and affordable homes in partnership with low-income families in our community. Incorporated in 2000, Habitat for Humanity of SSBC is an independent affiliate of Habitat for Humanity International—the largest nonprofit home builder in the world, and in 2010, the largest builder in the country. In their early years in Santa Barbara, they completed rehabilitation projects for homeless shelters, senior housing and day care centers, and renovated homes of local residents who were too infirm to maintain their homes. More recently, they completed three homes on Via Lucero and four homes on San Pascual in Santa Barbara, providing homes for twenty-five people in seven homes.

Habitat does not build houses for families; rather, they build alongside those who demonstrate need and the willingness to partner with Habitat. All eligible families meet the following criteria:

- They currently reside in deteriorated, unsafe or overcrowded conditions;

- They have a total family income between 40% and 60% of area median income;

- They are able to make monthly mortgage payments designed to fit within 35% of the family's income; and,

- They commit to investing 250 hours per adult family member of their own "sweat equity" labor into the houses and a training curriculum to help them be successful homeowners.

Families purchase the houses from Habitat at no profit, through interest-free loans. Their mortgage payments go into a revolving "Fund for Humanity" to help fund the construction of more houses.

Habitat is able to keep costs to families down because they draw on an incredibly diverse base of support. Volunteers join with future homeowner families to provide virtually all of the house-building labor. These volunteers represent individuals, civic groups, religious organizations and corporations, which not only donate time, but also provide the tax-deductible donations of money, land and materials that make the work possible. In this way, every dollar given to build Habitat homes is multiplied by donated materials and volunteer labor, and leverages the government funding provided through HUD and RDA funding.

To be able to complete construction of the 12 Canon Perdido homes, the Board of Directors of Habitat for Humanity of SSBC proposes to raise \$2.9 million to cover the cost of construction, architectural and engineering fees, permits, project management, and reserves.

The project sites are currently underdeveloped for the lot size and provide a great opportunity for an infill project. Currently the sites are each entitled for a 4 unit condo development which received development extensions through resolutions 010-09 and 011-09. The previously approved projects were similar nature (multifamily condominium developments). A historic structures report is on file and a noise study has been completed and is attached. No other studies are anticipated based on our new proposed project.

### **Project Construction**

It is anticipated that demolition of the existing building and trees to be removed will take 1 week and grading will take 3 weeks. Construction of the buildings will take approximately 9 months. After grading is completed, equipment and materials for building construction will be staged at the rearmost portion of the property.

### **Closing**

This DART submittal represents an opportunity for 12 needy families to achieve homeownership in our beautiful city. We have worked diligently to prepare a design that meets the needs of as many families as we can while creating a comfortable and healthy living environment. It balances sustainability with the Habitat volunteer workforce and weaves into the network of the Milpas/ Canon

Perdido neighborhood. We look forward to working with you can City Staff to see this project through to fruition.

Regards,

A handwritten signature in black ink, reading "Edward de Vicente". The signature is fluid and cursive, with a long horizontal stroke at the end.

Edward de Vicente, AIA C31321  
DeVicente + Mills Architecture, LLP

Attachments:

- DART #1 Letter
- Master Application
- PC Submittal Cover sheet
- Hydrology Calculations
- Neighborhood Parking study
- Interim covenants
- Arborist Report
- Tree Removal approval by Tim Downey
- Preliminary Title report
- Noise Report
- Tenant Displacement letter

**III. CONCEPT REVIEW:**

**ACTUAL TIME: 1:05 P.M.**

**APPLICATION OF DEVICENTE + MILLS ARCHITECTURE, ARCHITECT FOR  
HABITAT FOR HUMANITY OF SOUTHERN CALIFORNIA, 822 & 824 E.  
CAÑON PERDIDO STREET, 031-042-006 & 031-042-007, C-2 COMMERCIAL  
ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 12 UNITS/ACRE  
(MST2011-00182)**

The project involves the demolition of two existing single-family residences and garages, merging the two existing parcels (APNs 031-042-006 and 031-042-007) totaling 19,303 square feet, a one-lot subdivision for the purposes of constructing 12 affordable (low- and very-low income) condominiums. The units mix is comprised of a 725 square foot, one-bedroom unit, nine two-bedroom units ranging in size from 974 to 1,187 square feet, and two 1,356 square foot three-bedroom units. Fifteen parking spaces are provided; 12 attached one-car garages and three guest parking spaces. The project proposes to use the City's Bonus Density Program. The purpose of the concept review is to allow the Planning Commission and the public an opportunity to review the proposed project design at a conceptual level and provide the Applicant and Staff with feedback and direction regarding the proposed land use and design. The opinions of the Planning Commission may change or there may be ordinance or policy changes that could affect the project that would result in requests for project design changes. **No formal action on the development proposal will be taken at the concept review, nor will any determination be made regarding environmental review of the proposed project.**

The discretionary applications required for this project are:

1. A request for a Voluntary Lot Merger to merge to existing lots into a single 19,303 square foot lot.
2. A Modification to provide less than required front setback of 10 feet for the two-story building and 15 feet for the three-story building.
3. A Modification to provide less than the required 10 foot interior setback.
4. A Modification to provide less than the 27 required parking spaces (SBMC§ 28.90.100.G.3)
5. Two Modifications to allow the distance between main buildings to less than the required 15 feet. (SBMC§28.21.070).
6. A Lot Area Modification to provide less than the required 28,230 square feet of lot area.
7. A Tentative Subdivision Map for a one-lot subdivision to create twelve (12) residential condominium units (SBMC 27.07 and 27.13).

Case Planner: Suzanne Riegle, Assistant Planner  
Email: [SRiegle@SantaBarbaraCA.gov](mailto:SRiegle@SantaBarbaraCA.gov)

Phone: 805-564-5470, ext. 2687

**EXHIBIT D**

Suzanne Riegle, Assistant Planner, gave the Staff presentation.

Edward de Vicente, DMA Architects, gave the applicant presentation joined by Ryan Mills, DMA Architects; Jon Peterson, Director of Operations, Habitat for Humanity; and Jan Hubbell, Board Member, Habitat for Humanity.

The Planning Commission provided the following comments on the project:

1. The majority of the Commission felt that the affordability covenants should be a part of the Conditions of Approval. Commissioner Jordan added that local resident purchase be included as a part of the Conditions of Approval, and not just a part of the Applicant's policy.
2. Commissioners Jacobs and Larson suggested a Solar Study be conducted on the West side of the property. Staff responded that under the Solar Access Ordinance, this project did not require a study, but had one been required, it would have been limited to the East side of the property line where there is more sun.
3. Many Commissioners expressed a desire to learn more about the project's impact on on-street parking and felt that the neighborhood could not support any increase in on-street parking. Commissioner Jordan suggested that parking management condition of approval consider alternatives to enforcement that were not fee related. Also, suggested that guest parking be moved up front.
4. Commissioner Bartlett suggested consideration of carriage-style garage doors with window panes to allow monitoring that garage use was for parking and not alternative uses.
5. Commissioners held varied opinions on the location of the playground, with some suggesting consideration of alternatives, such as a center location.
6. The Commission expressed support for the Pedestrian Master Plan improvements; however, many commissioners did not support the front setback modification that would be created by a dedication for the improvements. Direction was given to the applicant to provide the minimum required front setback; which could be achieved by reducing unit sizes, particularly the two-bedroom units.
7. Some Commissioners suggested that the project height be reduced and cell tower locations of the neighboring property be considered.
8. Commissioners Larson and Schwartz expressed appreciation for the sustainability efforts made by the Applicant. Commissioner Larson recommended that hard surfaces be pervious paving and suggested consideration for bicycle parking and a trash plan.
9. A majority of the Planning Commission could support the Modifications for Lot Area to allow bonus density units; parking; and building separation; but could not support the front setback Modification.

#### **IV. DISCUSSION ITEMS**

**ACTUAL TIME: 2:21 P.M.**



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100 N. Hope Avenue, Suite 4, Santa Barbara, CA 93110 • (805) 687-4418 • FAX (805) 682-8509

Richard L. Pool, P.E.  
Scott A. Schell, AICP, PTP

November 22, 2011

11074L01.WP

Joyce McCullough  
Habitat for Humanity of Santa Barbara  
6725 Hollister Avenue, Suite 110  
Goleta, CA 93117

## ***ON-STREET PARKING STUDY FOR THE 822-824 EAST CANON PERDIDO STREET PROJECT, CITY OF SANTA BARBARA***

Associated Transportation Engineers (ATE) has prepared the following on-street parking study for the Habitat for Humanity Project, located at 822-824 East Canon Perdido Street in the City of Santa Barbara. The project is proposing to demolish two single family residences and construct 12 affordable condominiums. City of Santa Barbara Transportation Division staff have requested that parking surveys be conducted in the area adjacent to the project site to answer questions raised by the Planning Commission during their concept review of the project.

### **On-Street Parking Supply**

ATE staff performed an inventory of the number of on-street parking spaces available in the areas adjacent to the project site, which include the 800 block of East Canon Perdido Street and Philinda Avenue. The parking supply was determined based on the amount of linear feet of available on-street parking area divided by the City of Santa Barbara's 22-foot standard parallel parking space dimension. Table 1 summarizes the on-street parking supply. The on-street parking supply is also illustrated on Figures 1 and 2 (attached).

## **EXHIBIT E**

**Table 1**  
**On-Street Parking Supply - 800 Block Canon Perdido Street/Philinda Avenue**

Location	Linear Feet	Parking Spaces
Canon Perdido Street (North)	131-Feet	6 Spaces
<i>Restricted (Green Curb) 15-minute Parking 9 AM - 6 PM</i>	<i>102-Feet</i>	<i>5 Spaces</i>
Canon Perdido Street (South)	202-Feet	9 Spaces
<i>Restricted (Green Curb) 15-minute Parking 9 AM - 6 PM</i>	<i>26-Feet</i>	<i>1 Space</i>
Philinda Avenue (East)	197-Feet	9 Spaces
Philinda Avenue (West)	149-Feet	7 Spaces
<b>Total On-Street Parking Supply:</b>	<b>679-Feet</b>	<b>31 Spaces</b>
<b><i>w/ Restricted Parking Available After 6 PM</i></b>	<b><i>+ 128-Feet</i></b>	<b><i>+ 6 Spaces</i></b>

The data in Table 1 shows that there are approximately 31 on-street parking spaces available through out the day along the 800 block of Canon Perdido Street and Philinda Avenue. Table 1 also indicates that there are an additional 5 spaces along the northside of Canon Perdido and 1 additional space along the southside that are available from 6:00 P.M. to 9:00 A.M. These spaces are restricted to 15-minute parking (green curb) from 9:00 A.M. to 6:00 P.M. It is noted that parking is restricted on Canon Perdido Street on Tuesdays from 1:00 A.M. to 4:00 A.M. due to street sweeping. Parking is also restricted due to street sweeping on the westside of Philinda Avenue on Tuesdays from 8:00 A.M. to 10:00 A.M. and on the eastside of Philinda Avenue on Mondays from 8:00 A.M. to 10:00 A.M.

### **On-Street Parking Surveys**

ATE conducted on-street parking surveys at 9:00 A.M. and 2:00 P.M. when adjacent schools are in session; and at 11:00 P.M. when residents are typically home on September 27 and 28, 2011. Table 2 summarizes the results of the parking surveys (data attached for reference).



**Table 2**  
**On-Street Parking Demands**

Survey Period	9/27/2011		9/28/2011	
	Parked Vehicles	Spaces Available	Parked Vehicles	Spaces Available
9:00 A.M. (a)	23	8	20	11
2:00 P.M. (a)	29	2	22	9
11:00 P.M. (b)	20	17	18	19

(a) Assumes Total On-Street Parking Supply of 31 Spaces.

(b) Assumes Total On-Street Parking Supply of 37 Spaces

The data presented in Table2 indicate that the peak parking demands occurred at 2:00 P.M. during both days surveyed. During these periods, there were between 2 and 9 available on-street parking spaces in the study-area. The survey data shows that ample on-street parking is available during the evening period (17 - 19 available spaces).

### Field Observations

ATE staff conducted field observations of traffic patterns, volumes, and pedestrian/bicycle activity in the vicinity of the project site at the beginning and ending times for the adjacent schools. The observations noted congestion for short periods of time along Canon Perdido Street during the beginning of school (7:45 A.M. - 8:00 A.M.), and queues of 10 -12 vehicles were observed from the crosswalk at Nopal Street to Philinda Avenue. The congestion did not interfere with parking and/or driveway operations and was caused mainly by pedestrians crossing Canon Perdido Street at Nopal Street. Congestion was not observed during the end of the school period.

This concludes our on-street parking study prepared for the Habitat for Humanity Project proposed at 822-824 East Canon Perdido Street.

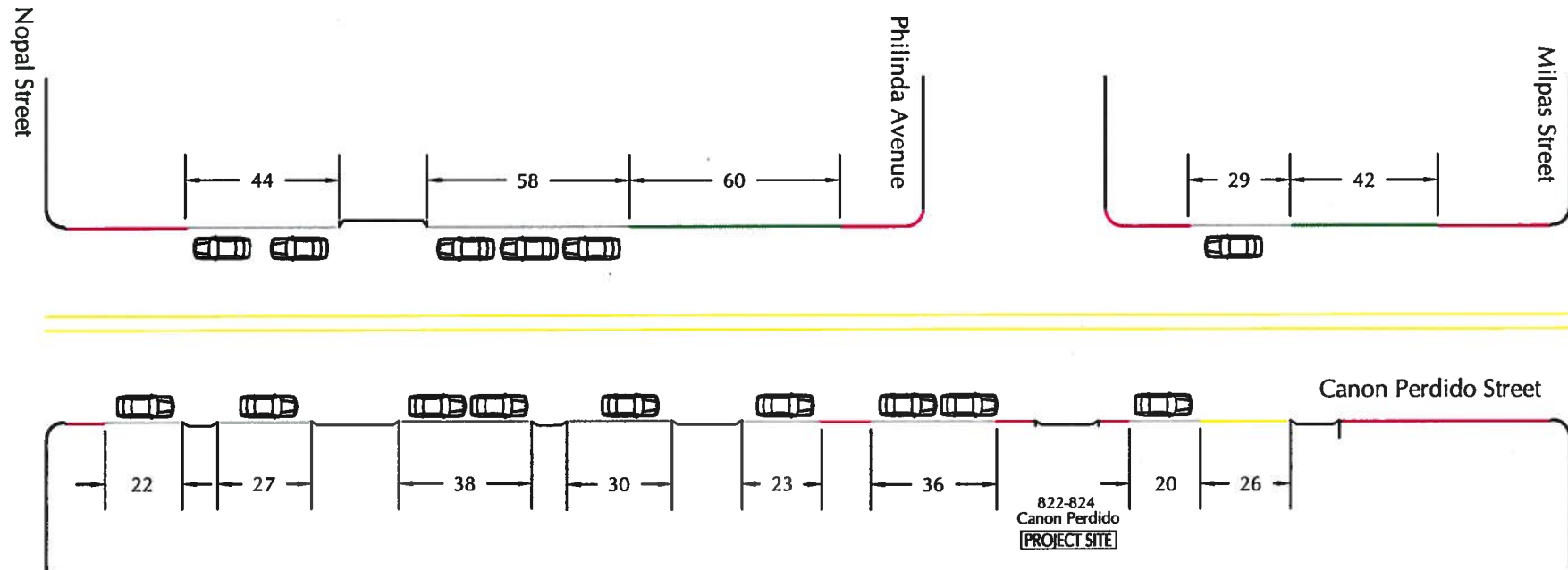
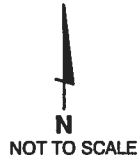
Associated Transportation Engineers



Scott A. Schell, AICP, PTP  
Principal Transportation Planner

SAS/MMF

Attachments:     Figures 1-2  
                         Parking Survey Data



#### LEGEND

- / - Restricted No Parking Any Time
- / - Restricted 15-Minute Parking 9 A.M. - 6 P.M.
- / - Restricted 3-Minute Commercial Loading 7 A.M. - 6 P.M.
- / - Available On-Street Parking



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TRANSPORTATION  
ENGINEERS

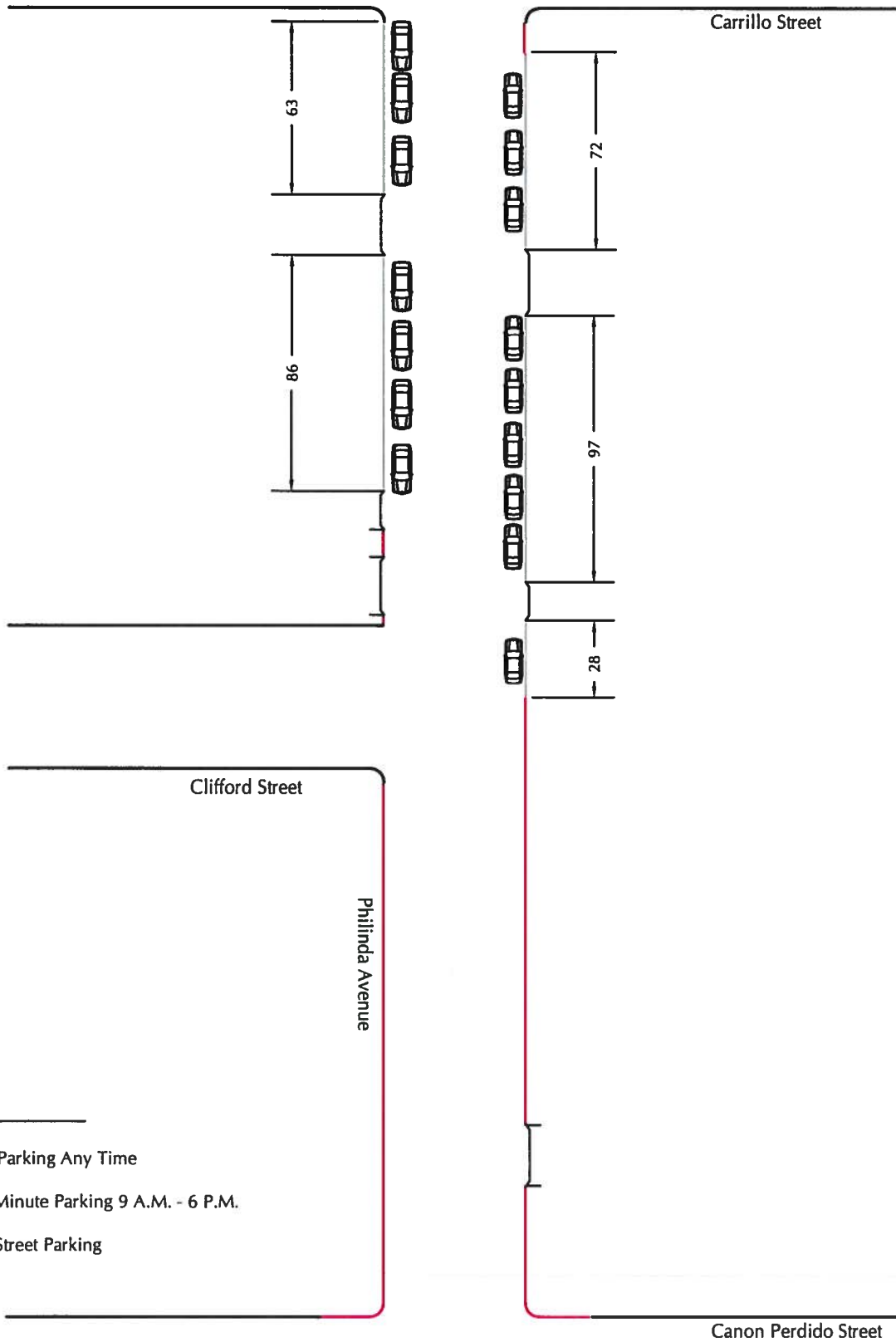
### E. CANON PERDIDO STREET - 800 BLOCK AVAILABLE ON-STREET PARKING SUPPLY

FIGURE

1

MMF - #11074

N  
NOT TO SCALE



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TRANSPORTATION  
ENGINEERS

## PHILINDA AVENUE - ON-STREET PARKING SUPPLY

FIGURE 2

MMF - #11074

**#11074 - HABITAT FOR HUMANITY PROJECT  
ON-STREET PARKING SURVEY**

DATE: TUESDAY, September 27, 2011

ZONE:	A		B		C		D		TOTAL (a)	
SUPPLY:	6	Spaces	9	Spaces	9	Spaces	7	Spaces	31	Spaces
TIME	CARS	% OCC.	CARS	% OCC.	CARS	% OCC.	CARS	% OCC.	CARS	% OCC.
9:00 AM	5	83%	6	67%	12	133%	0	0%	23	74%
2:00 PM	7	117%	7	78%	9	100%	6	86%	29	94%
11:00 PM (a)	3	50%	3	33%	8	89%	6	86%	20	54%

DATE: Wednesday, September 28, 2011

ZONE:	A		B		C		D		TOTAL (a)	
SUPPLY:	6	Spaces	9	Spaces	9	Spaces	7	Spaces	31	Spaces
TIME	CARS	% OCC.	CARS	% OCC.	CARS	% OCC.	CARS	% OCC.	CARS	% OCC.
9:00 AM	3	50%	4	44%	9	100%	4	57%	20	65%
2:00 PM	5	83%	6	67%	8	89%	3	43%	22	71%
11:00 PM (a)	2	33%	3	33%	7	78%	6	86%	18	49%

ZONE A: CANON PERDIDO (NORTH)	131	linear feet of available parking	=	6	SPACES
ZONE B: CANON PERDIDO (SOUTH)	202	linear feet of available parking	=	9	SPACES
ZONE C: PHILINDA (EAST)	197	linear feet of available parking	=	9	SPACES
ZONE D: PHILINDA (WEST)	149	linear feet of available parking	=	7	SPACES
TOTAL:	679	linear feet of available parking	=	31	SPACES

(a) Assumes total parking supply of 31 spaces until 6:00 P.M. and 37 spaces after 6:00 P.M. (restricted parking areas available for public use after 6:00 P.M.)

**Sound Level Assessment for the  
proposed  
Habitat for Humanity Condominiums  
822 & 824 E. Canon Perdido  
Santa Barbara, CA**

**requested by  
Habitat for Humanity of Southern Santa Barbara County  
6725 Hollister Ave, Suite 110  
Goleta, CA 93117**

September 30, 2011

**45dB.com**  
David Lord, PH.D.  
Acoustics Consulting

P.O. Box 1406  
San Luis Obispo  
CA 93406-1406  
tel. 805.704.8046  
email: dl@45db.com

**EXHIBIT F**

## **Table of Contents**

1.0 Description and Criteria .....	3
2.0 Existing Sound Levels .....	3
3.0 Sound Level Contours .....	3
4.0 Exterior Noise Mitigation .....	4
5.0 REFERENCES .....	8
6.0 APPENDIX I: Notes, Definitions .....	9

## **List of Figures**

Figure 1. Sound Level Contours, First Floor .....	5
Figure 2. Sound Level Contours, Second Floor .....	6
Figure 3. Sound Level Contours, Third Floor .....	7

**Sound Level Assessment for the  
proposed  
Habitat for Humanity Condominiums  
822 & 824 E. Canon Perdido St.  
Santa Barbara, CA**

**1.0 Description and Criteria**

The purpose of this report is to assess the potential impact of transportation sounds originating from East Canon Perdido Street and Milpas Street on the proposed project. The potential noise impact is evaluated for compliance with established criteria. With regard to land use, potential noise conflict and noise mitigation measures, the noise level standards contained in the Noise Element of the General Plan of the City of Santa Barbara sets a limit of LDN = 60 dBA for residential outdoor activity areas and a limit of LDN = 45 dBA for interior noise sensitive uses.

**2.0 Existing Sound Levels**

A site visit and sound level measurements have previously been made and reported by Bill Dohn and Associates. Those measurements along with traffic data from City of Santa Barbara Public Works Department are used to calibrate the acoustic simulation and to generate noise contours across the site. The measurements include sound levels generated by all traffic, near and far, on a busy typical weekday. The ambient calculated LDN (24-hour) sound level is an accurate depiction of existing noise conditions found in the field, as influenced by local topographical variations and built environment obstructions and reflective surfaces.

**3.0 Sound Level Contours**

Existing Ldn traffic noise contours are shown in a series of figures for each floor level, with regard to outdoor activity areas. First floor activity areas are shown in "Figure 1. Sound Level Contours, First Floor" on page 5. Second floor is shown in "Figure 2. Sound Level Contours, Second Floor" on page 6. Third floor is shown only at the northeast corner of the development for the outdoor activity area, "Figure 3. Sound Level Contours, Third Floor" on page 7. The location of the contours is affected by topography, the proposed building mass, and by daily traffic volume for each of the transportation sources. Day / Night Levels (LDN) in dBA are shown across the entire site, with contour lines drawn for each decibel difference. In successive figures, each of the sources of sound is shown on the same site plan. All exterior transportation noise sources are modeled.

**4.0 Exterior Noise Mitigation**


No designated private outdoor living space requires noise mitigation, as all are less than Ldn = 60 dBA.

The following building construction recommendations are made for only the elevations adjacent to and facing East Canon Perdido Street:

- (a) General Building Ventilation: Air conditioning or a mechanical ventilation system should be installed for the habitable spaces adjacent to East Canon Perdido Street, so that windows and doors may remain closed if desired to control exterior noise.
- (b) Exterior Walls: Minimum 5.5" stud walls, exterior stucco, one layer of interior 5/8" gypsum board and 5.5" cavity insulation are recommended. If a product other than stucco is used, the composite exterior wall material should have a combined weight of 5.0 psf.
- (c) Glazed Windows or Doors: Any glazed assembly shall have an overall STC of 20 minimum.
- (d) Exterior Entry Doors: Solid core with full-perimeter heavy duty weatherstripping.
- (e) Kitchen and Bathroom Ventilation: Ventilation ducts shall include at least two elbows.
- (f) Outside Air Intakes for HVAC: Outside Air Intakes shall include 1" thick acoustical lining and at least one elbow.
- (g) Attic Ventilation: Orient all attic and roof vents away from Canon Perdido St. Larger vents should be baffled with acoustically lined sheet metal boots.
- (h) General Airtightness: The exterior elevation should be made as airtight as possible to minimize noise infiltration. Exterior and interior sheathing should be caulked airtight at all edges and joints with an acoustical sealant. Sheet caulking (outlet box pads) should be provided at all electrical boxes and in ceilings nearest the noise source. ASTM E497 (Standard practice for Installing Sound-Isolating Lightweight Partitions) and ASTM C919 (Practice for use of Sealants in Acoustical Applications) should be referenced in the construction documents.

David Lord, September 30, 2011

for 45dB.com, :





**Figure 1. Sound Level Contours, First Floor**

Site plan, showing existing transportation sound levels from East Canon Perdido Street and Milpas Street at the ground floor level. These contours represent the existing sound levels with the proposed building in place. Contours are depicted as LDN = dBA and are at five feet above ground floor finish floor level, the average height of the human ear.



**Figure 2. Sound Level Contours, Second Floor**

Site plan, showing existing transportation sound levels from East Canon Perdido Street and Milpas Street at the second floor level. These contours represent the existing sound levels with the proposed building in place. Contours are depicted as LDN = dBA and are at five feet above second floor finish floor level.



**Figure 3. Sound Level Contours, Third Floor**

Site plan, showing existing transportation sound levels from East Canon Perdido Street and Milpas Street at the third floor level. These contours represent the existing sound levels with the proposed building in place. Contours are depicted as LDN = dBA and are at five feet above third floor finish floor level.



## 5.0 REFERENCES

1. American National Standards Institute, Inc. 2004. *ANSI 1994 American National Standard Acoustical Terminology*. ANSI S.1.-1994, (R2004) , New York, NY.
2. American Society for Testing and Materials. 2004. *ASTM E 1014 - 84 (Reapproved 2000) Standard Guide for Measurement of Outdoor A-Weighted Sound Levels*.
3. Berglund, Birgitta, World Health Organization. 1999. *Guidelines for Community Noise* chapter 4, Guideline Values.
4. Bolt, Beranek and Newman. 1973. *Fundamentals and Abatement of Highway Traffic Noise*, Report No. PB-222-703. Prepared for Federal Highway Administration.
5. California Department of Transportation (Caltrans). 1982. *Caltrans Transportation Laboratory Manual*.
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7. \_\_\_\_\_. 2006. *California Transportation Plan 2025*, chapter 6.
8. California Resources Agency. 2007. *Title 14. California Code of Regulations Chapter 3. Guidelines for Implementation of the California Environmental Quality Act Article 5. Preliminary Review of Projects and Conduct of Initial Study Sections, 15060 to 15065*.
9. City of Santa Barbara. . *City of Santa Barbara General Plan, Noise Element..*
10. Harris, Cyril.M., editor. 1979 *Handbook of Noise Control*.

## 6.0 APPENDIX I: Notes, Definitions

TERM	DEFINITION
Ambient Noise Level	The composite of noise from all sources near and far. The normal or existing level of environmental noise or sound at a given location. The ambient level is typically defined by the LEQ level over one hour or the LDN over 24 hours.
Background Noise Level	The underlying, ever-present lower level noise that remains in the absence of intrusive or intermittent sounds. Distant sources, such as traffic, typically make up the background. The background level is generally defined by the L90 percentile noise level, which is exceeded 90 percent of the time.
Sound Level, dB	Sound Level. Ten times the common logarithm of the ratio of the square of the measured A-weighted sound pressure to the square of the standard reference pressure of 20 micropascals, SLOW time response, in accordance with ANSI S1.4-1971 (R1976) Unit: decibels(dB).
dBA or dB(A):	A-weighted sound level. The ear does not respond equally to all frequencies, but is less sensitive at low and high frequencies than it is at medium or speech range frequencies. Thus, to obtain a single number representing the sound level of a noise containing a wide range of frequencies in a manner representative of the ear's response, it is necessary to reduce the effects of the low and high frequencies with respect to the medium frequencies. The resultant sound level is said to be A-weighted, and the units are dBA. The A-weighted sound level is also called the noise level.
Equivalent Sound Level LEQ	Because sound levels can vary markedly in intensity over a short period of time, some method for describing either the average character of the sound or the statistical behavior of the variations must be utilized. Most commonly, one describes ambient sounds in terms of an average level that has the same acoustical energy as the summation of all the time-varying events. This energy-equivalent sound/noise descriptor is called LEQ. In this report, both a 15 minute and an hourly period is used.
Percentile Sound Level (Ln)	The noise level exceeded during n percent of the measurement period, where n is a number between 0 and 100 (e.g., L90, exceeded 90 percent of the time, L10, exceeded ten percent of the time.)
Subjective Loudness Changes.	In addition to precision measurement of sound level changes, there is a subjective characteristic which describes how most people respond to sound: <ul style="list-style-type: none"> <li>• A change in sound level of 3 dBA is <i>barely perceptible</i> by most listeners.</li> <li>• A change in level of 6 dBA is <i>clearly perceptible</i>.</li> <li>• A change of 10 dBA is perceived by most people as being <i>twice</i> (or <i>half</i>) as loud.</li> </ul>
Time weighting	Different, internationally recognized, meter damping characteristics are available on sound level measuring instruments: Slow (S), Fast (F) and Impulse (I). In this community sound level measurement, the Fast (F) response time is used.
Ldn	Day-night averaged sound level (Ldn) is the 24-hour Leq obtained after addition of 10 dBA to the sound levels from 10 P.M. to 7 A.M.

**CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING****2. 822 & 824 E CANON PERDIDO ST****C-2 Zone****(3:40)**

Assessor's Parcel Number: 031-042-006  
Application Number: MST2011-00182  
Owner: Habitat for Humanity Southern Santa Barbara County  
Architect: DeVicente & Mills

(Proposal for construction of 12 new two- and three-story residential condominium units, restricted to affordable covenants. The units will vary in size between 725 square feet and 1,356 square feet, and includes 9 two-bedroom units, 2 three-bedroom units, and 1 one-bedroom unit. A total of 15 on-site parking spaces will be provided, which include 12 one-car garages and 3 guest parking spaces. The proposal involves the demolition of two existing residential units, two garages and a carport, and a voluntary lot merger to merge two existing parcels into one approximately 19,303 square foot parcel. The project requires Planning Commission review for a Tentative Subdivision Map and requested zoning modifications for lot area to allow bonus density, parking, distance between buildings, and front setback encroachment.)

**(Comments only; project requires Environmental Assessment and Planning Commission review for a Tentative Subdivision Map and Zoning Modifications.)**

Actual time: 3:33

Present: Edward DeVicente, and Ryan Mills, Architects; Jan Hubbell, Board Member; John Peterson, Director of Operations, and Joyce McCullum, Executive Director, Habitat for Humanity.

Public comment was opened at 3:53 p.m.

Bill Blackwell, neighbor, suggested providing carports in lieu of garages to prevent their use as storage or living space; expressed concern about insufficient on-site parking and impacts to on-street parking.

Public comment was closed at 3:57 p.m.

Motion: Continued indefinitely to the Full Board with the following comments:

- 1) The site planning and overall mass, bulk, and scale is supportable. Show the locations of existing significant trees and adjacent canopy trees and buildings that surround the site.
- 2) Provide a preliminary landscape plan.
- 3) The modification for parking does not have negative aesthetic impacts.
- 4) The project will respect the pedestrian master plan.
- 5) Refine the architecture to unify the style overall while maintaining individuality of units.

Action: Rivera/Gilliland, 5/0. Motion carried. (Aurell and Zink absent)

The Full Board meeting was adjourned at 4:41 p.m.

**CONSENT CALENDAR (1:00)**

Representatives present: Clay Aurell and Chris Gilliland

Staff present: Tony Boughman

**ABR - REVIEW AFTER FINAL****A. 1600 ANACAPA ST****R-O Zone**

Assessor's Parcel Number: 027-191-007  
Application Number: MST2011-00083  
Owner: Robert C. and Helen E. Wiley Trust

**EXHIBIT G**